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NORTHERN DIST. OF TX  
FILED

Federal District Court  
for the Northern District of Texas

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Rev. Ryan "Sasha" Gallagher  
1010 Lakewood  
McKinney, TX 75070

DEPUTY CLERK 

V.

**318 - CV 2801 - C**

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### **Witch Hunting**

#### **Heresy in the Spanish Inquisition Defined**

The church had a very specific definition of heresy:

1. A heretic publicly declared his beliefs (based upon what the church considered inaccurate interpretations of the Bible); and
2. Refused to denounce them, even after being corrected by the authority;
3. He also tried to teach his beliefs to other people;
4. He had to be doing these things by his own free will, not under the influence of the devil.

#### **Heresy in Islam (and Christianity in many ways)**

In Islam, shirk (Arabic: شرك *širk*) is the sin of practicing idolatry or polytheism, i.e. the deification or worship of anyone or anything besides the singular God, i.e. Allah. Literally, it means ascribing or the establishment of "partners" placed beside God. It is the vice that is opposed to the virtue of Tawhid (monotheism). Those who practice shirk are termed mushrikun. Mushrikun (pl. of mushrik) are those who practice shirk, which literally means "association" and refers to accepting other gods and divinities alongside the god of the Muslims - Allah (as God's "associates"). In Islamic law shirk as a crime, can just be attributed to Muslims, since only a Muslim is legally responsible not to associate any partner to Allah.

### **Theurgy**

Language and Fire were not created by our Species, and we are not in the 2nd Millennium. Our species, Homo Sapien, has been around for at least 100,000 years and language, through gestures, sounds and signaling, has existed for even longer, while the control of fire has existed for at least 1,000,000 years. Most people on Earth still have 1-4% Neanderthal DNA except for people living in Sub-Saharan Africa, who are 100% Homo Sapien and the only people who have the DNA of a third species are the Natives in Papua New Guinea, who have 4-6% Denisovan DNA.

"[T]he 'exercise of religion' often involves not only belief and profession but the performance of ... physical acts [such as] assembling with others for a worship service [or] participating in sacramental use of bread and wine ...

#### **-Employment Div. v. Smith, 494 U.S. 872 (1990)**

"Sacramental or ceremonial material shall be provided by the chaplain or volunteer worship leader and shall be used only in the area designated by the warden for the worship leader and shall not be in the possession of inmates at any time. These materials include:

- a. Wine or grape juice, bread or communion wafers for Christian communion/mass;
- b. Wine or grape juice, matsoh, raisins, nuts, and spices for Jewish ceremonial meals;
- c. Tobacco, herbs, and pipes for Native American ceremonies;
- d. Incense, candles and anointing oils for all faith groups.

Id. Mustafaa argues that this policy inhibits the free exercise of his religion because prayer oils are not distributed to Muslims at each of their five daily prayers."

#### **-Mustafaa v. Dutton, 958 F.2d 372 (6th Cir. 1992)**

"Appellant argues that the religious use of peyote, a psychedelic hallucinogen, by Indians who are members of the Native American Church has been constitutionally protected by the Supreme Court of California in *People v. Woody*, 61 Cal. 2d 716, 40 Cal. Rptr. 69, 394 P.2d 813 (1964). He refers also to the California Supreme Court's decision in *In re Grady*, 61 Cal. 2d 887, 39 Cal. Rptr. 912, 394 P.2d 728 (1964), decided the same day as *Woody*, in which conviction of a "self-styled peyote preacher" for unlawful possession of narcotics, namely, peyote, was annulled and a new trial granted in order that the defendant might have an opportunity to prove that his use of peyote was in connection with an honest and bona fide practice of a religious belief. By parity of reasoning he contends that marihuana, another psychedelic drug, is entitled to the same constitutional protection as peyote. With due deference to the California Supreme Court, we are of course not bound by its decisions. However, we note an essential difference between *Woody* and the instant matter in that peyote in the *Woody* case played "a central role in the ceremony and practice of the Native American Church, a religious organization of Indians," and that the "ceremony marked by the sacramental use of peyote, composes the cornerstone of the peyote religion." *Grady* was apparently the spiritual leader of a group of individuals and provided peyote for the group which he said was for religious purposes."

#### **-Timothy Leary v. United States of America, 383 F.2d 851 (5th Cir. 1967)**

### **Jurisdiction RULE 5.1/Declaratory Relief**

**Ashcroft v. Iqbal, 556 U.S. 662 (2009)- 28 USC 1915 STATE CLAIM**

**Bell Atlantic Corp. v. Twombly, 550 U.S. 544 (2007) - 28 USC 1915 STATE CLAIM**

**Watson v. Ault, 525 F.2d 886 (5th Cir 1976) – Judge's QUESTIONNAIRE**

**Bivens v. Six Unknown Agents, 403 U.S. 388 (1971) – Federal DEFENDANTS**

**Spears v. Mccotter, Et al, 766 F.2d 179 (5th Cir. 1985) – Factual ALLEGATIONS**

**US v Baucum, 94-3040 (DC Cir 1996) – Activation of RULE 5.1**

**Leary v. US, 395 US 6 (1969) – Activation of RULE 5.1**

**National Mob. Com. to End the War in Viet Nam v. Foran, 411 F.2d 934 (7th Cir. 1969) – Federal JURISDICTION**

**US v. Ballard, 322 U.S. 78 (1944) – Government putting RELIGION ON TRIAL**

**Washington v. Sessions, 1:17cv05625 (SDNY 2018) – Religious REFUGEE**

**Mustafaa v. Dutton, 958 F.2d 372 (6th Cir. 1992) – Religious MATERIALS**

**PERKEL v. U.S. DoJ, No. 08-74457 (9<sup>th</sup> Cir 2010)- Religious PETITION**

**Comptroller v. Ethical Society of Austin, 03-02-00066-CV (TX 3d 2003) – The SUPREME BEING TEST**

**Hemp Industries V. DEA, No. 17-70162 (9th Cir. 2018)- Marijuana DEFINITIONS**

**Noramco DE Inc v. DEA, No. 02-1211 (DC Cir. 2004) – DEA Form 225**

**See, DOJ Anti-Trust MEMO: <https://www.justice.gov/atr/memorandum-antitrust-division-united-states-department-justice-amicus-curiae-support-application>**

**United States v. Forbes, 806 F. Supp. 232 (D. Colo. 1992) – Analogue DEFINITIONS**

**Cantwell v. Connecticut, 310 U.S. 296 (1940) - Incorporation DOCTRINE**

**US v. ARTICLE OR DEVICE, 333 F Supp 357 (D.D.C. 1971) – Religion & FDA REGULATION**

**Butz v. Economou, 438 U.S. 478 (1978) – Rights & STATE AND FEDERAL AGENTS**

**U.S. Code: Title 21 - FOOD AND DRUGS**

**81 FR 53846 – FEDERAL MARIJUANA REGISTRY**

**Rule 5.1**

**Constitution- Article I, Section 9, Clause 3: "No Bill of Attainder ... shall be passed"**

**US v. Brown, 381 US 437 (1965)- Overturned Law that made it a Crime to be Communist US v. Lovett, 328**

**US 303 (1946)- Attainder Test**

**Dent v. West Virginia, 129 US 114 (1889)- A State Law Stating you had to Graduate from a Licensed Medical School was nearly overturned (Religion can't be Licensed)**

**28 USC S1331- Federal Question Jurisdiction**

**28 USC S1337- Commerce and Anti-Trust Regulations; Amount in Controversy, Costs**

**28 USC S1341- Taxes by States (Fed Courts don't interfere without speedy State remedy)**

**28 USC S1343- Federal Court Jurisdiction over Conspiracy to interfere with rights under S1985**

**28 USC S1346- United States as Defendant**

**28 USC S1351- Court Action Against Diplomats (Foreign and Domestic)**

**28 USC S1355- Jurisdiction for Fine, Penalty or Forfeiture under an Act of Congress**

**28 USC S1357- Injury from Act of Congress**

**28 USC S1365- Actions in Court by Senate (Federal Court Jurisdiction)**

**28 USC S1367- Supplemental Jurisdiction for Actions brought by Similar Plaintiffs**

**28 USC Chapter 158- Orders of Federal Agencies; Review**

**28 USC Chapter 161- United States as Party Generally**

28 USC Chapter 163- Fines, Penalties and Forfeitures  
28 USC Chapter 165- US Court of Federal Claims Procedure  
28 USC Chapter 169- Court of International Trade Procedure  
28 USC Chapter 171- Tort Claims Procedure  
28 USC Chapter 179- Judicial Review of Certain Actions by Presidential Offices  
28 USC Chapter 181- Foreign Judgments

### **Related Cases**

Kerr v. New Orleans PD, 2:2013cv00525 (ED La 2013)  
Gallagher v. Austin PD, 1:2016cv00527 (WD TX 2016)  
Gallagher v. DEA, 3:2017cv00734 (ND TX 2017/18)  
Gallagher v. Willis, Collin County, 4:2018cv00575 (ED TX 2018)  
Gallagher v. FDA, 1:2018cv02154 (DC 2018)  
Gallagher v. DEA, 18-01352 (10<sup>th</sup> Cir 2018)  
Gallagher v. DEA, 1:2018cv02505 (Colorado 2018)  
Gallagher v. Colorado Department of Revenue, 1:2018cv02503 (Colorado 2018)  
Gallagher v. United States, 1:2018cv02153 (DC 2018)  
In Re: Judicial Complaint, 18-10-90033/90034 (10<sup>th</sup> Cir 2018)

### **Relevant Law**

"It has been objected also against a bill of rights, that, by enumerating particular exceptions to the grant of power, it would disparage those rights which were not placed in that enumeration; and it might follow by implication, that those rights which were not singled out, were intended to be assigned into the hands of the General Government, and were consequently insecure. This is one of the most plausible arguments I have ever heard against the admission of a bill of rights into this system; but, I conceive, that it may be guarded against." - James Madison, when introducing the Bill of Rights

The 9th Amendment "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people."

### **TEXAS ADMINISTRATIVE CODE**

#### **TITLE 37. PUBLIC SAFETY AND CORRECTIONS**

#### **PART 1. TEXAS DEPARTMENT OF PUBLIC SAFETY**

#### **CHAPTER 12. COMPASSIONATE-USE/LOW-THC CANNABIS PROGRAM**

#### **SUBCHAPTER A.**

#### **GENERAL PROVISIONS**

- § 12.1. Definitions
- § 12.2. Requirements and Standards
- § 12.3. Criminal History Disqualifiers
- § 12.4. Records
- § 12.5. Address on File
- § 12.6. Notice
- § 12.7. Testing, Production, and Packaging
- § 12.8. Inventory Control System
- § 12.9. Sanitation; Waste Disposal

#### **SUBCHAPTER B.**

#### **APPLICATION AND RENEWAL**

- § 12.11. Application for License
- § 12.12. Application for Registration
- § 12.13. Renewal
- § 12.14. Application Fees and Method of Payment
- § 12.15. Denial of Application for License
- § 12.16. Denial of Application for Registration

**SUBCHAPTER C.  
COMPLIANCE AND ENFORCEMENT**

- § 12.21. Inspections
- § 12.22. Suspension
- § 12.23. Revocation
- § 12.24. Default Judgments
- § 12.25. Hearing Costs

**SUBCHAPTER D.  
SECURITY**

- § 12.31. Security of Facilities
- § 12.32. Security of Vehicles
- § 12.33. Response to Security Breach
- § 12.34. Reporting of Discrepancy, Loss or Theft

**SUBCHAPTER E.  
COMPASSIONATE-USE REGISTRY**

- § 12.41. Access to Compassionate-Use Registry
- § 12.42. Verification of Patient Prescription
- § 12.43. Prescriber Registration
- § 12.44. Prescriptions

**TEXAS HEALTH AND SAFETY CODE**

**TITLE 6. FOOD, DRUGS, ALCOHOL, AND HAZARDOUS SUBSTANCES**

**SUBTITLE C. SUBSTANCE ABUSE REGULATION AND CRIMES**

**CHAPTER 481. TEXAS CONTROLLED SUBSTANCES ACT**

**SUBCHAPTER A. GENERAL PROVISIONS**

Sec. 481.001. **SHORT TITLE.** This chapter may be cited as the Texas Controlled Substances Act. Acts 1989, 71st Leg., ch. 678, Sec. 1, eff. Sept. 1, 1989.

Sec. 481.002. **DEFINITIONS.** In this chapter:

- (16) "Drug" means a substance, other than a device or a component, part, or accessory of a device, that is:
- (A) recognized as a drug in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, official National Formulary, or a supplement to either pharmacopoeia or the formulary;
  - (B) intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or animals;
  - (C) intended to affect the structure or function of the body of man or animals but is not food; or
  - (D) intended for use as a component of a substance described by Paragraph (A), (B), or (C).
- (17) "Drug paraphernalia" means equipment, a product, or material that is used or intended for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, or concealing a controlled substance in violation of this chapter or in injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of this chapter. The term includes:
- (A) a kit used or intended for use in planting, propagating, cultivating, growing, or harvesting a species of plant that is a controlled substance or from which a controlled substance may be derived;
  - (B) a material, compound, mixture, preparation, or kit used or intended for use in manufacturing, compounding, converting, producing, processing, or preparing a controlled substance;
  - (C) an isomerization device used or intended for use in increasing the potency of a species of plant that is a controlled substance;
  - (D) testing equipment used or intended for use in identifying or in analyzing the strength, effectiveness, or purity of a controlled substance;
  - (E) a scale or balance used or intended for use in weighing or measuring a controlled substance;
  - (F) a dilutant or adulterant, such as quinine hydrochloride, mannitol, inositol, nicotinamide, dextrose, lactose, or absorbent, blotter-type material, that is used or intended to be used to increase the amount or weight of or to transfer a controlled substance regardless of whether the dilutant or adulterant diminishes the efficacy of the controlled substance;

- (G) a separation gin or sifter used or intended for use in removing twigs and seeds from or in otherwise cleaning or refining marihuana;
- (H) a blender, bowl, container, spoon, or mixing device used or intended for use in compounding a controlled substance;
- (I) a capsule, balloon, envelope, or other container used or intended for use in packaging small quantities of a controlled substance;
- (J) a container or other object used or intended for use in storing or concealing a controlled substance;
- (K) a hypodermic syringe, needle, or other object used or intended for use in parenterally injecting a controlled substance into the human body; and
- (L) an object used or intended for use in ingesting, inhaling, or otherwise introducing marihuana, cocaine, hashish, or hashish oil into the human body, including:
  - (i) a metal, wooden, acrylic, glass, stone, plastic, or ceramic pipe with or without a screen, permanent screen, hashish head, or punctured metal bowl;
  - (ii) a water pipe;
  - (iii) a carburetion tube or device;
  - (iv) a smoking or carburetion mask;
  - (v) a chamber pipe;
  - (vi) a carburetor pipe;
  - (vii) an electric pipe;
  - (viii) an air-driven pipe;
  - (ix) a chillum;
  - (x) a bong; or
  - (xi) an ice pipe or chiller.

(18) "Federal Controlled Substances Act" means the Federal Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. Section 801 et seq.) or its successor statute.

(19) "Federal Drug Enforcement Administration" means the Drug Enforcement Administration of the United States Department of Justice or its successor agency.

### **Brief**

These Cases need to be reviewed, please look at the Judgments in all of these Cases  
Gallagher v. Collin County, et al, 4:2018cv00575  
Church of the Lukumi Babalu Aye, Inc. v. Hialeah, 508 U.S. 520 (1993)  
Mustafaa v. Dutton, 958 F.2d 372 (6<sup>th</sup> Cir 1992)  
Desmond v. Blackwell, 235 F. Supp. 246 (M.D. Pa 1964)  
United States v. Ballard, 322 US 78 (1944)

This Complaint involves a long series of events, and Court Cases, so I ask that the DC Court, being the Administrative Law Court, pays attention to all Case Law Citations because many of them are from my own Cases, and the others help to explain how the Agencies got where they are and how we can move forward. This is regarding Human Rights Case #P-2098-17 with the OAS IACHR, who are awaiting a Final Decision from US Courts in order to move forward with my Human Rights Claim. This goes back since I was 14 Years Old.

**Gallagher v. Paxton, 4:18cv00575 (E.D. Tx 2018); Gallagher v. United States, 18cv2153 (DC 2018); Gallagher v. FDA, 18cv2154 (DC 2018)**

First, I would like to emphasize the fact that this Complaint is in part a Rule 5.1 Challenge to the Controlled Substances Act, that fact has been ignored in all other Courts, but I asked that it be acknowledged here. I am a Religious Refugee from Texas, living in Colorado.

US v. Baucum, 94-3040 (DC Cir 1996); Washington v. Sessions, 1:17cv05625 (SDNY 2018);  
Leary v. United States, 395 US 6 (1969); FRCP Rule 5.1



In 2016 I sued the DEA, and Twombly was cited. I ask that records from this Case be drawn regarding the Overall Monopoly being operated by the DEA, including Stepan Company, Coca Cola, and the importation and Distribution of Coca Extract and Cocaine HCl.  
Gallagher v. Rosenberg, 1:16cv01117 (W.D. Tx 2016)

In 2016, I was arrested in Austin Texas, then de-Arrested, and various Religious Materials were taken from me and given to a Forensics Lab in the City, it took 6 Months, but eventually all items were returned.  
Gallagher v. Austin PD, 1:16cv00527 (W.D. Tx 2017)

That year I filed an Administrative Claim with the DEA, and waited 180 Days.

This event in 2016 is very similar to events which happened regarding a Pastor of a Church I was once a Member/Parishioner of, but the Pastor has since died, and we are now Absorbing his Church (The Church of Neuroscience), but the Citation of my Case and the Citation of his Case prove that our Temple and other Religious Practitioners similar to us are a Class, and I request a Class be instated. Federal Rules of Civil Procedure Rule 23.  
Kerr v. New Orleans PD, 2:13cv00525 (E.D. La 2013)

My Administrative Claim was filed, and I waited, so I then filed in the Federal District Court in Texas. This Case was not responded to by the Magistrate for over 1 year, then I asked them to show cause and they closed the Case stating "The DEA can not be sued".  
Gallagher v. DEA, 3:17cv00734 (N.D. Tx 2018);  
Normaco v. DEA, 375 F.3d 1148 (DC Cir 2004)

I then went to Colorado, and filed in Colorado (actually left during the year I was waiting for the response), in October 2017 I contacted the DEA via ODLP@USDOJ.gov, and they sent me a PDF to their DEA RFRA Guidelines, which I then discovered can be found by Google-ing "DEA RFRA" and it is the first result. But they have actually taken those instructions down (the 2nd time now since I started this). The original instructions said to send the Petition to Joe Rannazzisi, but at that time he was actually suing the DEA for starting the Opioid Crisis.

So I contacted their Pharma Registration Hotline, and after a few days got in contact with someone who told me to contact, so I sent it to "Demetra Ashley" who they said had taken Joe's place. Then in February 2018, Demetra retired and left the DEA, and the DEA RFRA Guidelines were taken down, similarly to how they are down right now as I am writing this. I then went and gathered a number of DEA and USDA emails, and requested them all to Forward an Email copy of my Petition to Susan A. Gibson, who runs the department that oversees this. I was told that it would be done, and then in April 2018, I received an email (the first acknowledgement of my Petition) stating that my Petition had been received by James A. Arnold. I then mailed the DEA a sample of the Lord God Soma, 4-OH-MiPT to prove that this is not rhetoric, and that they have no right to regulate things that are not illegal. I emailed them to make them aware, and sent them a picture of the letter and substance, and they had someone call me and said they would intercept the letter. I figured this would work similarly to the situation in Austin, and that after Forensic Testing they could simply say "We have no right to regulate these Religious Materials".

Utah v. Mooney, 20010787 (2004 UT 49);  
United States v. Forbes, 806 F. Supp. 232 (D. Colo. 1992)

I then filed a Case in Colorado which I filed in violation of Colorado District Rule 8 for Forms, but I violated it Unwillingly as outlined in Rule 83(a)(2) and I was nearly evicted for practicing my Religion (and did leave the property to avoid eviction) and was never remedied because of this Court's Rule 8 issues Gallagher v. DEA, 1:2018cv00387 (D. Colo. 2018). I filed again, Gallagher v. DEA, 1:18cv01674 (D. Colo. 2018) and due to the Magistrates Simple refusal to read Docketed Items, and review Cited Cases (even my own Cases), he claimed that no Claim had been stated. But if you review my Cases, you can clearly see that none of this is Hypothetical, and I have even been in jail, and had my Religion further violated while I was in jail (in Collin County Texas), and he seems to think that being in Colorado in and of itself is a remedy to the problem, when I am a Refugee from Texas. It has now been 1 full year, in October, since I submitted the Petition.

(2nd Colorado filing) Gallagher v. DEA, 1:18cv01674 (D. Colo. 2018);  
Gallagher v. Colorado Department of Revenue, 1:18cv01699 (D. Colo. 2018);  
Walz v. Tax Commission of the City of New York, 397 U.S. 664 (1970);  
Pierce v. Society of Sisters, 268 US 510 (1925)

The DEA RFRA Guidelines themselves have various problems  
The DEA Exemption Guidelines in #7 are a Bill of Attainder, it requires that you not Practice your Religion during the time of the Petition Review, which has now been a Year for me, so due to the DEA, I have not been able to practice my Religion for a Year.

Constitution- Article I, Section 9, Clause 3: Bill of Attainder  
Dent v. West Virginia, 129 US 114 (1889)

It is also illegal to force a Religion to get a license  
Cantwell v. Connecticut, 310 US 296 (1940)

And the DEA is in violation of Religion in various other ways

Lemon v. Kurtzman, 403 US 602 (1971)  
US v. Article or Device, 333 F. Supp. 357 (DDC 1971)  
Whitman v. American Trucking, 531 US 457 (2001)  
Yick Wo v. Hopkins, 118 US 356 (1886)  
Linder v. US, 268 US 5 (1925)

The DEA is also refusing to release to me a Copy of a phone Call that at the beginning of the phone call (between me and DEA Agents), I was told that I would receive a copy of. And this has caused the Colorado Court to not believe the entire situation and to dismiss the Case without reviewing any Docketed items. If this Phone call were released to this court it would give a very detailed explanation of my Religion, and I request that this Court retrieve a copy of the phone call via Subpoena.

Juarez v. DEA, 07-5064 (DC Cir 2008);

I have also contacted the DoJ Inspector General about this, and request that record be brought into this Case.

I want to explain something about how Religion works for the Court. First, there were Bronze Age Religions, this includes the Greek Religion, and the Egyptian Religion. But it also includes the Indus Valley Civilization, who created Hinduism. In 2,500 BC, Hinduism was created via the Vedas, the Primary one of which is the Rig Veda, which is the Veda which contains the information on the Various forms of Shiva. Hinduism is a Polytheistic Religion,



and there are many Gods, some of which are the same God in different forms, just like a Diamond has many Facets, a God or Goddess can have many Faces. Hinduism has changed throughout History, for example, most people do not practice Vedic Religion like I do, and instead practice the Hinduism of the Bhagavad Gita. The easiest way to describe the difference is that that Hindu Sect is the "Hare Krishna, Hare Krishna" Hindus, while we are the "Om Nama Shivaya" Hindus. Om being the same Om as is used in meditation, like "Ommmm", we are Hindu Shaivites. Hinduism was changed by the Iron Age, and Hellenization (Alexander the Great and Rome went through the Middle East to Pakistan, and then the Byzantine Empire, the Moorish Empire, the Ottoman Empire, etc, converted these Regions over and over to the Empirical Religion of the time). Part of the reason the DEA and FDA exist is actually to stop these Religions. H. J. Anslinger was in charge of the FBN, which was the precursor to the FBI and FDA, and he openly spoke about the Connection between Marijuana, Mexicans, and Religion; he speaks about the Muslim Hashashins, etc. He even called it "Marihuana" to emphasize that it was Mexican. Shiva, the Primary God of the Shaivite Religion, is the God of Marijuana, the Lord of Bhang (Bhang is the Sanskrit word for Marijuana, Charas is the Sanskrit word for Hashish).

US v. Geoffrey Honneus, 508 F.2d 566 (1st Cir 1975);

Cruz v. Beto, 405 US 319 (1972)

We are no longer in the Bronze Age, or the Iron Age, we are now in the Atomic Age. The Atom Bomb has been created and Deployed in War after Einstein, and there are now even Laws regarding Chemistry. In fact, many many modern Laws involve Chemistry, and many people see Chemistry as the primary purpose of the Law in many cases for some reason. The Volstead Act, which was the Act of Congress that enacted Prohibition, the 18th Amendment, did not have the force to Hinder Religious Practice. And the Volstead Act was based on an Amendment to the Constitution. Much of Modern Chemistry actually comes from Ancient Practices of Perfuming. We call it "Organic Chemistry" in Modern Times, but in Ancient Times it was known as "Perfumery". And many of our Religious Rituals can be found in both Organic Chemistry and the Perfume Industry.

Gonzales v. O Centro, 546 US 418 (2006)

Russia saw America drop a Nuclear Bomb on Japan, and afterwards they began creating Molecules related to Serotonin and Melatonin that protect from Radiation. In the 1970s, Dr. Sasha Shulgin invented Ecstasy, from Plants, which then became a Pharmaceutical Medicine, until it was abused. He also invented a number of other Substances which are detailed in the Alchemy Books he named "PIHKAL" and "TIHKAL", which stands for "Phenethylamines I Have Known and Loved" and "Tryptamines I Have Known and Loved". Many people view these as "Pharmacopoeia", but when you truly read them cover to cover, and understand what Sasha Shulgin was doing, you understand that they are Alchemy Books, and Spell Books. They are Magic Books, and he is a Hindu Saint. He is a Dead Guru. He is the Founder of an Atomic Age branch of the Hindu Religion, and I am a Prophet of this Religion, spreading his Sadhana to America, to create PIHKAL and TIHKAL Sadhus, absorbing Dr. Jeremy Kerr's Church of Neuroscience. There is a Hindu Concept called "Shilpa Shastra" which means "The Science of Arts and Crafts" which has been Catalogued by British Imperialists. PIHKAL and TIHKAL are the "Art and Craft of Soma", Soma being the Ancient Rig Vedic beverage made from plants, into a drink, and consumed by the Gods, and their Followers. Marijuana is the Flesh of Lord Shiva, THCv is another form of Shiva. 4-OH-MIPT is the Flesh of Lord Shiva.

Abdullah Mustafaa v. Dutton, 958 F.2d 372 (6th Cir 1992);

Desmond v. Blackwell, 235 F. Supp. 246 (M.D. Pa 1964);  
Africa v. Commonwealth, 662 F.2d 1025 (3d Cir 1981);  
Mayfield v. TDCJ, 06-50490 (5th Cir 2008)

I have written a book called "The Somic Shilpa Shastras" in 2013-2015, which will be the primary Religious Text that we share to spread our faith.

Anyone can convert to any Religion they wish, and I converted to Hinduism (after trying other Religions, and being raised Methodist) at the age of 14.

US v. Ballard, 322 US 78 (1944);  
Obergefell v. Hodges, 576 US \_\_ (2015)

New Branches retain Religious Status  
Presbyterian Church v. Hull Church, 393 U.S. 440 (1969)

#### Relevant Treaties

UN Psychotropics Convention (1971)  
Universal Declaration of Human Rights (1948): Article 18  
International Convention on Civil and Political Rights (1966): Article 18  
Declaration on the Elimination of All Forms of Intolerance and of Discrimination based on Religion or Belief (1981): Article 1, 2, 4, 6 (Sec C & H), 7  
Special Rapporteur on Freedom of Religion or Belief (1986): Mandate  
Human Rights Committee, General Comment 22, Article 19 (Forty-eighth Session, 1993): 2, 3, 4

#### Treaty Case Law

Doe v. Braden, 57 US (16 How) 635, 656 (1853);  
The Cherokee Tobacco, 78 US (11 Wall) 616, 620 (1871);  
Asakura v. Seattle, 265 US 332 (1924)

The DEA may be having an issue with the fact that I have 2 Gods, and actually more than 2 Gods, but that is easily resolved, if they would simply answer their phones, and stop ignoring me. In this Case, DMT, a Schedule I Substance, was used by the Santo Diame (the Saint of Everything) Church, a Syncretic Religion that involved Catholic and Yoruba, as well as other practices.

Church of the Holy Light of the Queen v. Mukasey, 615 F. Supp. 2d 1210 (D. Or. 2009)

And in that Case, not only was DMT found, but also 5-OH-DMT (Bufotenin), and the Pastor said that he did not know that it was there, and the Judge accepted that. In the Mark Perkel,

Church of Reality case, they said that "All plants and all Drugs" were theirs' to use for Meditation and Medication. I would first like to point out that we are not using these things for Meditation, and do use Melatonin for Meditation, but Marijuana and 4-OH-MIPT are the Flesh of our Gods, not tools for Meditation.

I would also like the Court to consider the fact that US Law is not Sharia Law, and we do not live in an Islamic State which bans Idolatry and Polytheism. We may have 2 Gods, and I would argue that we could even have 2 Religions. America does not limit Religious Practice. America is a country where you can practice any Religion you want, and that Measure within the Law has since been adopted around the World. Religious Freedom is really what makes

America America, not a Free Press, or Free Speech, though those are also important, the primary thing that makes America America is Freedom of Religion. It is the first thing Mentioned in the 1st Amendment.

**Thomas Jefferson: Notes on Locke and Shaftesbury, 11 October–9 December 1776**

*"The purpose of separation of church and state is to keep forever from these shores the ceaseless strife that has soaked the soil of Europe in blood for centuries." -James Madison speaking of a Wall of Separation*

In Case# 4:2018cv00575, a History is explained that goes back 13 years, and Technically "Ended" with Collin County in 2017, but was a Witch Hunt involving False Charges (a Felony) for 7 years, plus my Childhood "record" of running away from the Government because of my Religion from the Age of 14 after being sent to a place associated with the WWASP system of "Programs" which involved the "Tranquility Bay" program in Jamaica where children were Tortured. I am a Hindu Minister and have been since I was 17.

Gallagher v. Austin PD, 1:2016cv00527 in 2016 I had a situation with Austin PD where they seized various Religious Materials, and then after 6 Months everything was returned. I was told by the Federal Court that I can't sue the Police Department, and would need to refile against the City, but I decided to let it go because I was in Dallas.

Compare to  
Kerr v. New Orleans PD, 2:2013cv00525 (ED La 2013)

Gallagher v. DEA, 3:2017cv00734, filed in this Court, and appealed to the 5<sup>th</sup> Circuit, regarding my Religion as well as my Brother's Death.

There is a Case regarding new Facts in the 10<sup>th</sup> Circuit as well  
Gallagher v. DEA, et al, 0:18-cv-01352 (10<sup>th</sup> Cir)

And a Case regarding more new Facts in the Colorado District  
Gallagher v. DEA, et al, 1:2018cv02505

And a Mandamus Request in the DC District Court  
Gallagher v. United States of America, et al, 1:2018cv02153

And a Case regarding the Federal Marijuana Patients against the FDA in the DC District Court  
Gallagher v. FDA, et al, 1:2018cv02154

**THESE 2 CASES BASICALLY SAY THAT "THE STATE AND IT'S AGENTS IN COLORADO AREN'T STOPPING YOU", THE COURT IN COLORADO. SO I AM STARTING A TEMPLE IN TEXAS.**

I Submitted a Request for an Exemption for our Church under the RFRA Guidelines set forth by the DEA on Oct 24<sup>th</sup>, 2017, and they are not responding. They also did not respond to the Ethiopian Zion Coptic Church until forced to by a Federal Court. The original Petition is for THCV, a Non-Scheduled Substance. It is not Scheduled in the United States or on the UN Psychotropics Convention, and is the Eucharist of the Lord God Shiva, the Earthly Form of

Lord God Shiva.

I simply wanted the Court to review this process, and as they were forced to respond to the Ethiopian Zion Coptic Church by a Federal Court, I assume that it will have to be done that way again, because I have received no response. **Olsen V DEA** 878 F.2d 1458 279 U.S.App.D.C. 1, 58 USLW 2023

After 2013-2014, the death of Dr. Sasha Shulgin and Dr. Jeremy Kerr occurred. Jeremy Kerr was the Pastor of the Church of Neuroscience, which has now been absorbed by the Shaivite Temple. And Sasha Shulgin has been accepted by the Temple as a Saint for his Miracles that he Performed during his lifetime; and 4-OH-MiPT, Miprocin, very closely related to Melatonin which is released during Meditation (Meditation was invented by the Lord God Shiva), has been interpreted by our Temple to be the Eucharist, the Flesh of the Lord God Soma. Shiva and Soma are 2 Separate Gods within 1 Religion, and I would argue to the DEA and the Court that having 2 or 3 Religions would not cause a person to fall outside the protections of the First Amendment, in fact something like the First Amendment is required in order for such Religions to Flourish. Many Syncretic Churches were formed in America. I mailed this to the DEA about 2 weeks before filing this case you are reading with the Court:




To whomever it may Concern  
Regarding the RFRA Exemption of the Shavite Temple  
You may consider this a CFR 1307.03 Analogue Act Petition

This substance is the Earthly form of  
The Lord God Soma - Dr Sasha Shulgin is a Saint.

I ask that this substance be NMR  
tested and once the results are in, I  
ask that the substance be checked  
against the UN Psychotropics Convention

Then I ask that the VO Centro  
be renewed until as the  
Church of Two Visions (VO) City of Hialeah

At this point that the  
DEA must not act on this petition, or  
the CSA is unconstitutional  
Dr Sasha Shulgin is a Saint of the Shavite Temple

  
Rev. Ryan Sasha Gallagher

Reiterated:

All the DEA needs to tell our Temple is if this  
substance is covered by the UN Psychotropics



After mailing this I received a Phone call from DEA HQ stating "You can not mail White Powders to Federal buildings, we appreciate that you called us to warn us, but you can not do that. You will receive a phone call that Tuesday.

I then emailed them this:

*"The global need to prevent chemical warfare does not require the Federal Government to reach into the kitchen cupboard, or to treat a local assault with a chemical irritant as the deployment of a chemical weapon." Bond v. United States, 572 U.S. \_ (2014)*

I did not receive a call that Tuesday, and instead had to contact the DEA myself via the DEA HQ phone number that called me. It took me calling all week until Friday to get an Email response from Jim Arnold stating:

*This matter is still pending. If we need additional information we will be in touch.*

IF THEY CAN NOT COME ARREST ME THEN THE MATTER IS NO LONGER PENDING. I WANT TO GIVE THE COURT THE EXAMPLE OF THE MORMON CHURCH CREATED IN THE UNITED STATES, SPIRITUALISM, THE "I AM" ACTIVITY, SANTA RIA, SANTO DIAME, ETC ETC ETC

I am simply asking the Court to review the DEA's Religious Exemption Law in regards to the Petition of the Shaivite Temple of Colorado. I Submitted a Petition as per the DEA Guidelines, found in this link, on October 27<sup>th</sup> 2017, after the DEA gave me the PDF in an email.  
[https://www.deadiversion.usdoj.gov/pubs/rfra\\_exempt\\_022618.pdf](https://www.deadiversion.usdoj.gov/pubs/rfra_exempt_022618.pdf)

October 2017, I contacted DOJ ODLP via their Email and they responded stating that Demetra Ashley would give me a response. Demetra Ashley was in the original RFRA Exemption Guidelines, but after receiving my Petition she Retired, and was replaced by Susan A Gibson. I never recieved a response from Demetra Ashley.

November 24<sup>th</sup> 2017, I receive this misleading email from the [ODLP@USDOJ.gov](mailto:ODLP@USDOJ.gov) email, and my Petition is never responded to:

*We have received your email(s). Please do not send any further repeat correspondence.  
Thank you - Lynnette*

April 25<sup>th</sup> 2018, I received this email after asking the DEA FOIA, DOJ FOIA, etc, to forward my Petition to Susan A Gibson in March 2018:

*Dear Mr. Gallagher:*

*Your petition has been received. The matter is pending review. We will notify you when a decision has been made or if we require additional information.*

*James "Jim" Arnold*

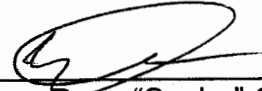
*Chief, Liaison & Policy*  
*Diversion Control Division*  
*DEA Headquarters*  
*202-353-1414 (Desk)*

**I now wish to Open my Temple in My HOME STATE of Texas, and cease my life as a Refugee, and finally have this over with. And that is in Conflict with the Texas Marijuana Laws.**

### **Whereby the Plaintiff Prays the Court,**

Cause the DEA to Provide a Religious Exemption, Cause the State of Texas to Provide a Religious Exemption, and Declare the Plaintiff's Religion as Protected under the 1<sup>st</sup> Amendment of the Constitution United States of America, so that all Agencies in Texas and the Federal Government are aware; or,  
Overturn the US Controlled Substances Act and TX Controlled Substances Act

DECLARATORY/INJUNCTIVE RELIEF  
RULE 5.1

  
\_\_\_\_\_  
Rev. Ryan "Sasha" Gallagher

1010 Lakewood  
McKinney, TX 75070  
720 369 8172

## CIVIL COVER SHEET

RECEIVED

OCT 22 2018

CLERK U.S. DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

## I. (a) PLAINTIFFS

Rev. Ryan "Sasha" Gallagher

(b) County of Residence of First Listed Plaintiff  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

## DEFENDANTS

Uttam Dhillon, et al

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

318 - CV 2801 - C

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 2 U.S. Government Defendant
- ☒ 3 Federal Question  
(U.S. Government Not a Party)
- ☐ 4 Diversity  
(Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   |                                       |                            |   |                            |                            |
|---|---------------------------------------|----------------------------|---|----------------------------|----------------------------|
|   | PTF                                   | DEF                        |   | PTF                        | DEF                        |
| Citizen of This State                   | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2            | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3            | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input checked="" type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input checked="" type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input checked="" type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input checked="" type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input checked="" type="checkbox"/> 490 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input checked="" type="checkbox"/> 990 Constitutionality of State Statutes
<b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609				
<b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions				

## V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Title 42 Chapter 213 JC

Brief description of cause:

Statutes conflict with Religion

## VII. REQUESTED IN COMPLAINT:

☒ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND:

☐ Yes ☐ No

## VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

## FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

Attachment 1

From the Vatican Website

(See also, Circuit Judge Amy Coney Barret's Religious group "The People of Praise")  
[http://www.vatican.va/roman\\_curia/congregations/cfaith/documents/rc\\_con\\_cfaith\\_doc\\_20160516\\_iuvenescit-ecclesia\\_en.html](http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20160516_iuvenescit-ecclesia_en.html)

**Letter "Iuvenescit Ecclesia" to the Bishops of the Catholic Church  
Regarding the Relationship Between Hierarchical and Charismatic Gifts  
in the Life and the Mission of the Church**

**Introduction**

*The gifts of the Holy Spirit in the Church in mission*

1. The Church rejuvenates in the power of the Gospel and the Spirit continually renews her, builds her up, and guides her "with hierarchical and charismatic gifts".<sup>[1]</sup> The Second Vatican Council has repeatedly highlighted the marvelous work of the Holy Spirit that sanctifies the People of God, guides it, adorns it with virtue, and enriches it with special graces for her edification. As the Fathers love to show, the action of the divine Paraclete in the Church is multiform. John Chrysostom writes: "What gifts that work for our salvation are not given freely by the Holy Spirit? Through Him we are freed from slavery and called to liberty; we are led to adoption as children and, one might say, formed anew, after having laid down the heavy and hateful burden of our sins. Through the Holy Spirit we see assemblies of priests and we possess ranks of doctors; from this source spring forth gifts of revelation, healing graces, and all of the other charisms that adorn the Church of God".<sup>[2]</sup> Thanks to the Church's life itself, to the numerous Magisterial interventions, and to theological research, happily the awareness has grown of the multiform action of the Holy Spirit in the Church, thus arousing a particular attentiveness to the charismatic gifts by which at all times the People of God are enriched in order to carry out their mission.

The work of effectively proclaiming the Gospel has proven to be particularly urgent in our time. The Holy Father Francis, in his Apostolic Exhortation *Evangelii Gaudium*, recalls that: "If something should rightly disturb us and trouble our consciences, it is the fact that so many of our brothers and sisters are living without the strength, light and consolation born of friendship with Jesus Christ, without a community of faith to support them, without meaning and a goal in life".<sup>[3]</sup> The invitation to be a Church which "goes forth" leads to a rereading of the whole Christian life in a missionary key. <sup>[4]</sup> The work of evangelization touches every dimension of the Church: from ordinary pastoral ministry, to her proclamation to those who have abandoned the Christian faith and, in particular, to those who do not know Jesus Christ or have always rejected Him.<sup>[5]</sup> In the essential work of new evangelization, it is now more than ever necessary to recognize and value the numerous charisms capable of reawakening and nourishing the life of faith of the People of God.

*The multiform ecclesial groups*



2. Both before and after the Second Vatican Council there arose numerous ecclesial groups that constituted a great source of renewal for the Church and for the urgent "pastoral and missionary conversion"<sup>[6]</sup> of all ecclesial life. To the value and richness of all the traditional organizations, characterized by particular purposes, as well as the Institutes of Consecrated Life and the Societies of Apostolic Life, are added those more recent realities that can be described as groups of the faithful, ecclesial movements, and new communities. This present document reflects upon these realities. They cannot simply be understood as a voluntary association of persons desiring to pursue a particular social or religious goal. The character of "movement" distinguishes them in the ecclesial landscape in as much as they are powerfully dynamic realities. They are capable of provoking a particular attraction to the Gospel and offering a proposal of the Christian life which, basically global in outlook, touches every aspect of human existence. The gathering of the faithful into groups, with an intensely shared common existence in order to strengthen their life of faith, hope, and charity, expresses well the ecclesial dynamic as the mystery of communion for the sake of mission, and manifests itself as a sign of the unity of the Church in Christ. In such a sense, these ecclesial groups arising from a shared charism tend to have as their goal "the broad apostolic purpose of the Church".<sup>[7]</sup> In this perspective, groups of the faithful, ecclesial movements, and new communities propose renewed forms of following Christ in which the *communio cum Deo* and the *communio fidelium* are deepened. Thus the attractiveness of the encounter with the Lord Jesus and the beauty of Christian existence lived in its integrity is brought to new social contexts. A particular form of mission and witness is also expressed in such an entity, encouraging the growth of both a lively awareness of the individual's Christian vocation as well as stable paths of Christian formation and ways of evangelical perfection. According to their diverse charisms, the faithful can share in this gathered entity in different states of life (lay faithful, ordained ministers and consecrated persons). In this way, they manifest the multiform richness of the ecclesial communion. The strong capacity of such an entity to gather people together constitutes a significant testimony to how the Church does not grow "through proselytism but 'through attraction'".<sup>[8]</sup>

John Paul II addressed the representatives of the movements of the new communities. He recognized in them a "providential answer"<sup>[9]</sup> arising from the Holy Spirit to the necessity of communicating in a persuasive manner the Gospel to the whole world, considering the grand processes of change in action at a global level, often marked by a strongly secularized culture. This leaven of the Spirit "has brought to the Church's life an unexpected newness which is sometimes even disruptive".<sup>[10]</sup> The same Pontiff remembered that the time of "ecclesial maturity" has come for all of these ecclesial groups. This implies their full value and insertion "in the local Churches and in the parishes [...] always remaining in communion with the pastors and attentive to their directions".<sup>[11]</sup> These new realities fill the heart of the Church with joy and gratitude and are called to relate positively with all of the other gifts present in ecclesial life.

#### *Purpose of the present document*

3. The Congregation for the Doctrine of the Faith, with this present document, intends, in the light of the relationship between the "hierarchical and charismatic gifts", to underline those theological and ecclesiological elements whose comprehension will encourage a fruitful and



ordered participation of the new groups in the communion and the mission of the Church. For this purpose, first, some key elements both of the doctrine of charisms found in the New Testament and of Magisterial reflection on these new entities are presented. Successively, based upon certain principles of systematic theology, identifying elements of both the hierarchical and charismatic gifts will be presented alongside some criteria for the discernment of the new ecclesial groups.

## I. The Charisms according to the New Testament

### *Grace and charism*

4. "Charism" is the transcription of the Greek word *chárisma*, which, found frequently in the Pauline letters, also appears in the first letter of Peter. This term has a general sense of "generous gift" and, in the New Testament, is used only in reference to the divine gifts. In some passages, the context offers a more precise meaning (cf. *Rm* 12:6; *1 Cor* 12:4-31; *1 Pt* 4:10), whose fundamental trait is the differentiated distribution of gifts.<sup>[12]</sup> In modern languages this is also the prevailing sense of words derived from this Greek term. Unlike the fundamental graces such as sanctifying grace, or the gifts of faith, of hope, and of charity, that are indispensable for every Christian, an individual charism need not be a gift given to all (cf. *1 Cor* 12:30). The charisms are particular gifts that the Spirit distributes "as He wishes" (*1 Cor* 12:11). In order to give an account of the necessary presence of the diverse charisms in the Church, the two most explicit texts (*Rm* 12:4-8; *1 Cor* 12:12-30) make use of a comparison with the human body: "For as in one body we have many parts, and all the parts do not have the same function, so we, though many, are one body in Christ and individually parts of one another. Since we have gifts that differ according to the grace given to us, let us exercise them" (*Rm* 12:4-6). Between the members of the body, this diversity does not constitute an anomaly to avoid, on the contrary, it is both necessary and productive. It makes possible the fulfilment of diverse life-giving functions. "If they were all one part, where would the body be? But as it is there are many parts but one body" (*1 Cor* 12:19-20). A close relationship between the particular charisms (*charísmata*) and the grace of God is affirmed by Paul in *Rm* 12:6 and by Peter in *1 Pt* 4:10.<sup>[13]</sup> The charisms are recognized as a manifestation of the "multiform grace of God" (*1 Pt* 4:10). They are not, therefore, simply human capacities. Their divine origin is expressed in different ways: according to some texts they come from God (cf. *Rm* 12:3; *1 Cor* 12:28; *2 Tm* 1:6; *1 Pt* 4:10); according to *Eph* 4:7, they come from Christ; according to *1 Cor* 12:4-11, from the Spirit. As this last passage is the most insistent (it mentions the Spirit seven times), the charisms are usually presented as "manifestations of the Spirit" (*1 Cor* 12:7). It is clear, nonetheless, that this attribution is not exclusive and does not contradict the preceding two. The gifts of God always imply the entire Trinitarian horizon, as theology has affirmed from its beginning, both in the West and in the East.<sup>[14]</sup>

### *Gifts given "for the good of all" and the primacy of charity*

5. In *1 Cor* 12:7 Paul declares that "To each individual the manifestation of the Spirit is given for some benefit". Many translations add "for the benefit of all" because the majority of charisms

mentioned by the Apostle, even if not all, are directly for the benefit of all. This orientation toward the edification of all has been well understood, for example, by St. Basil the Great, when he says: "These gifts are received by each one more for others than for themselves [...]. In the common life it is necessary that the power of the Holy Spirit, given to one, be transmitted to all. The one who lives for oneself, may have a charism, but it remains useless, hidden away inactive, because it remains buried within the self".<sup>[15]</sup> Paul, nevertheless, does not deny that a charism may be useful solely for the person who has received it. Such is the case with speaking in tongues, which, in this respect, is different from the gift of prophecy.<sup>[16]</sup> The charisms that have a common usefulness, be they charisms of the word (of wisdom, of knowledge, of prophecy, of exhortation) or of action (of powers, of ministry, of governance); they also have a personal usefulness, because their service of the common good favors the growth of charity in those who possess them. Paul observes, regarding this, that, if one lacks charity, even the highest charisms do not help their recipient (cf. *1 Cor* 13:1-3). A stern passage from the Gospel of Matthew (*Mt* 7:22-23) expresses the same reality: the exercise of the more visible charisms (prophecy, exorcisms, miracles) can unfortunately coexist with the absence of an authentic relationship with the Savior. Consequently, Peter as much as Paul insists on the necessity of directing all of the charisms towards charity. Peter offers a general rule: "As each one has received a gift, use it to serve one another as good stewards of God's varied grace" (*1 Pt* 4:10). Paul is concerned in particular about the use of the charisms in gatherings of the Christian community and says: "Everything should be done for building up" (*1 Cor* 14:26).

#### *The variety of charisms*

6. In some texts we find a list of charisms, sometimes summarized (cf. *1 Pt* 4:10), other times more detailed (cf. *1 Cor* 12:8-10, 28-30; *Rm* 12:6-8). Among those listed there are exceptional gifts (of healing, of mighty deeds, of variety of tongues) and ordinary gifts (of teaching, of service, of beneficence), ministries for the guidance of the community (cf. *Eph* 4:11) and gifts given through the imposition of the hands (cf. *1 Tim* 4:14; *2 Tim* 1:6). It is not always clear that these gifts are considered "charisms" in the strict sense of the term. The exceptional gifts mentioned repeatedly in *1 Cor* 12-14, disappear from the latter texts: the list of *Rm* 12:6-8 presents only the less visible charisms, that have an ongoing usefulness for the life of the Christian community. None of these lists claims to be exhaustive. Elsewhere, for example, Paul suggests that the choice of celibacy for the love of Christ should be understood as the fruit of a charism, as should that of matrimony (cf. *1 Cor* 7:7 in the context of the whole chapter). The examples he gives depend on the level of development reached in the Churches of the time and are susceptible, therefore, to further additions. The Church, in fact, always grows over time thanks to the vivifying action of the Spirit.

#### *The proper exercise of the charisms in the ecclesial community*

7. From the above observations, it emerges that the Scriptural texts do not present an opposition between the diverse charisms; rather they see a harmonic connection and complementarity between them. The antithesis between an institutional Church of the Judeo-Christian type and a charismatic Church of the Pauline type, affirmed by certain reductive

ecclesial interpretations, in reality lacks a foundation in the texts of the New Testament. Far from situating the charisms on one side and the institutional entity on the other, opposing a Church “of charity” and a Church “of the institution,” Paul gathers in one list the recipients of the charisms of authority and teaching, of charisms that are useful to the ordinary life of the community, and of the more striking charisms.<sup>[17]</sup> Paul himself describes his ministry as an Apostle as a ministry “of the Spirit” (2 Cor 3:8). He feels invested with authority (*exousía*), given him by the Lord (cf. 2 Cor 10:8; 13:10), an authority that extends also towards charismatics. Both he and Peter give the charismatics instructions on the way to exercise their charisms. Their attitude is, above all, one of favorable welcoming; they are convinced of the divine origin of the charisms; they do not, however, consider these gifts as authorizing one to withdraw the obedience owed towards the ecclesial hierarchy, or as bestowing the right to an autonomous ministry. Paul shows himself to be aware of the drawbacks that a disordered exercise of the charisms can provoke in the Christian community.<sup>[18]</sup> The Apostle, therefore, intervenes, with authority, to establish precise rules for the exercise of charisms “in the Church” (1 Cor 14:19-28), that is, in the gatherings of the community (cf. 1 Cor 14:23-26). He limits, for example, the exercise of glossolalia.<sup>[19]</sup> Similar rules are also given for the gift of prophecy (cf. 1 Cor 14:29-31).<sup>[20]</sup>

### *Hierarchical and charismatic gifts*

8. In summary, from an examination of the biblical texts regarding the charisms, it emerges that the New Testament, while not offering a complete systematic teaching, presents affirmations of great importance that orientate ecclesial reflection and practice. One must also recognize that we do not find a univocal use of the term “charism”; rather a variety of meanings are observable, which theological reflection and the Magisterium help us to understand in the context of the complete vision of the mystery of the Church. In the present document the attention is placed on the binomial highlighted in paragraph 4 of the Dogmatic Constitution *Lumen Gentium* which speaks of “hierarchical gifts and charismatic gifts”. The relationship between them appears close and well-articulated. They have the same origin and the same purpose. They are gifts of God, of the Holy Spirit, of Christ, given to contribute, in diverse ways, to the edification of the Church. He who has received the gift to lead in the Church has also the responsibility of keeping watch over the good exercise of the other charisms, in such a manner that all contribute to the good of the Church and to its evangelizing mission, knowing well that the Holy Spirit distributes the charismatic gifts to whomever he desires (cf. 1 Cor 12:11). The same Spirit gives to the hierarchy of the Church the capacity to discern the authenticity of the charisms, to welcome them with joy and gratitude, to promote them generously, and to accompany them with vigilant paternity. History itself testifies to the multiform action of the Spirit, through which the Church, “built upon the foundation of the Apostles and prophets, with Christ Jesus Himself as the capstone” (Eph 2:20), lives her mission in the world.

## **II. The Relationship between the Hierarchical And the Charismatic Gifts in the Recent Magisterium**

### *The Second Vatican Council*



9. Although there has never been a shortage of different charisms arising in the temporal course of ecclesial history, nonetheless, only in recent times has a systematic reflection on them been developed. While the doctrine of the charisms occupies a significant space in the Magisterium of Pius XII as expressed in *Mystici Corporis*,<sup>[21]</sup> a decisive step forward in the adequate understanding of the relationship between the hierarchical and charismatic gifts is taken with the teaching of the Second Vatican Council. The relevant passages regarding this theme<sup>[22]</sup> reveal in the life of the Church, in addition to the Word of God, written and transmitted, to the sacraments, and to the ordained hierarchical ministry, the presence of gifts, of special gifts or charisms, distributed by the Spirit among the faithful of every condition. The passage most emblematic in this regard is to be found in *Lumen Gentium* 4: “The Church, which the Spirit guides in the way of all truth (cf. *Jn* 16: 13) and which He unifies in communion and in works of ministry, He both equips and directs with hierarchical and charismatic gifts and adorns with His fruits (cf. *Eph* 4:11-12, *1 Cor* 12:4, *Gal* 5:22)”.<sup>[23]</sup> In such a manner, the Dogmatic Constitution *Lumen Gentium*, in presenting the gifts mediated through the Spirit, precisely through the distinction between the diverse hierarchical and charismatic gifts, highlights their difference in unity. The affirmations in *Lumen Gentium* 12 regarding charismatic phenomena also appear significant in the context of the participation of the People of God in the prophetic office of Christ. One recognizes that the Holy Spirit does not limit Himself to this as “it is not only through the sacraments and the ministries of the Church that the Holy Spirit sanctifies and leads the People of God and enriches it with virtues”, but: “He distributes special graces among the faithful of every rank. By these gifts He makes them fit and ready to undertake the various tasks and offices which contribute toward the renewal and building up of the Church”.

Finally, their multiformity and providentiality are described: “These charisms, whether they be the more outstanding or the more simple and widely diffused, are to be received with thanksgiving and consolation for they are perfectly suited to and useful for the needs of the Church”.<sup>[24]</sup> Analogous reflections are also found in the conciliar Decree on the Apostolate of the Laity.<sup>[25]</sup> This same document affirms that such gifts are not to be considered optional in the life of the Church; rather “from the acceptance of these charisms, including those which are more elementary, there arises for each believer the right and duty to use them in the Church and in the world for the good of men and the building up of the Church, in the freedom of the Holy Spirit”.<sup>[26]</sup> The authentic charisms, therefore, come to be considered as gifts of indispensable importance for the life and mission of the Church. Finally, conciliar teaching constantly recognizes the essential role of pastors in the discernment of the charisms and their ordered exercise within the ecclesial communion.<sup>[27]</sup>

#### *The post-conciliar Magisterium*

10. In the period following the Second Vatican Council, the interventions of the Magisterium on this topic multiplied.<sup>[28]</sup> The growing vitality of the new movements, groups of the faithful, and ecclesial communities, together with the need to specify the place of Consecrated Life within the Church contributed to this.<sup>[29]</sup> John Paul II, in his Magisterium, insists particularly on the principle of the *coessentiality* of these gifts: “I have often had occasion to stress that there is no conflict or opposition in the Church between the institutional dimension and the charismatic

dimension, of which movements are a significant expression. Both are co-essential to the divine constitution of the Church founded by Jesus, because they both help to make the mystery of Christ and his saving work present in the world".[30] Pope Benedict XVI, in addition to confirming the coessentiality of the gifts, deepened the affirmation of his predecessor, remembering that "in the Church the essential institutions are also charismatic and indeed the charisms must, in one way or another, be institutionalized to have coherency and continuity. Hence, both dimensions originate from the same Holy Spirit for the same Body of Christ, and together they concur to make present the mystery and the salvific work of Christ in the world".[31] The hierarchical gifts and the charismatic gifts are thus reciprocally related from their very origins. Finally, the Holy Father Francis, has recalled "the harmony" that the Spirit creates between the diverse gifts and has called the charismatic groups to a missionary openness, to the necessary obedience to pastors, and to maintain ecclesial communion,[32] because "it is within the community that the gifts the Father showers upon us bloom and flourish; and it is in the bosom of the community that one learns to recognize them as a sign of his love for all his children." [33] Summarizing, therefore, it is possible to recognize a convergence in the recent Magisterium on the coessentiality between the hierarchical and charismatic gifts. Their opposition, and equally their juxtaposition, would be symptomatic of an error or insufficient comprehension of the action of the Holy Spirit in the life and mission of the Church.

### **III. Theological Foundation of the Relationship Between The Hierarchical and Charismatic Gifts**

#### *Trinitarian and Christological horizons of the gifts of the Holy Spirit*

11. In order to grasp the profound reasons of the relationship between the hierarchical and charismatic gifts, it is opportune to recall their theological foundation. In fact, the necessity of overcoming every sterile contraposition or extrinsic juxtaposition between the hierarchical and charismatic gifts is required by the economy of salvation itself, which embraces the intrinsic relation between the missions of the Word incarnate and of the Holy Spirit. In reality, every gift of the Father implies the reference to the joint and differentiated actions of the divine missions: every gift comes from the Father, through the Son, in the Holy Spirit. The gift of the Spirit in the Church is bound to the mission of the Son, accomplished definitively in his Paschal Mystery. Jesus Himself connects the fulfilment of his mission to the sending of the Spirit upon the community of believers.[34] Through this, the Holy Spirit can in no way inaugurate an economy other than that of the divine incarnate *Logos*, crucified and risen.[35] In truth, the whole sacramental economy of the Church is the pneumatological realization of the Incarnation: the Holy Spirit, therefore, comes to be considered by Tradition as the soul of the Church which is the Body of Christ. The action of God in history always implies the relationship between the Son and the Holy Spirit, who, in Irenaeus of Lyon's evocative words, are called "the two hands of the Father".[36] In this sense, every gift of the Spirit cannot but be in relationship with the Word made flesh.[37]

The bond in origin between the hierarchal gifts, conferred with the sacramental grace of Orders, and the charismatic gifts, freely distributed by the Holy Spirit, has its deepest roots, therefore, in



the relationship between the divine incarnate *Logos* and the Holy Spirit, who is always the Spirit of the Father and of the Son. Precisely to avoid equivocal theological visions that would posit a “Church of the Spirit”, distinct and separate from the hierarchical-institutional Church, it must be repeated that the two divine missions mutually imply each other *in every gift* bestowed freely upon the Church. In reality, the mission of Jesus Christ already implies within itself the action of the Spirit. John Paul II, in his encyclical on the Holy Spirit, *Dominum et Vivificantem*, had shown the decisive importance of the action of the Spirit in the mission of the Son.<sup>[38]</sup> Benedict XVI deepened this insight in his Apostolic Exhortation *Sacramentum Caritatis*, recalling that the Paraclete “already at work in Creation (cf. *Gen* 1:2), is fully present throughout the life of the incarnate Word”. Jesus Christ “is conceived by the Virgin Mary by the power of the Holy Spirit (cf. *Mt* 1:18; *Lk* 1:35); at the beginning of his public mission, on the banks of the Jordan, He sees the Spirit descend upon Him[self] in the form of a dove (cf. *Mt* 3:16 and parallels); He acts, speaks and rejoices in the Spirit (cf. *Lk* 10:21), and He can offer Himself in the Spirit (cf. *Heb* 9:14). In the so-called ‘farewell discourse’ reported by John, Jesus clearly relates the gift of his life in the Paschal Mystery to the gift of the Spirit to his own (cf. *Jn* 16:7). Once risen, bearing in his flesh the signs of the passion, He can pour out the Spirit upon them (cf. *Jn* 20:22), making them sharers in his own mission (cf. *Jn* 20:21). The Spirit would then teach the disciples all things and bring to their remembrance all that Christ had said (cf. *Jn* 14:26), since it falls to Him, as the Spirit of truth (cf. *Jn* 15:26), to guide the disciples into all truth (cf. *Jn* 16:13). In the account in *Acts*, the Spirit descends on the Apostles gathered in prayer with Mary on the day of Pentecost (cf. 2:1-4) and stirs them to undertake the mission of proclaiming the Good News to all peoples”.<sup>[39]</sup>

*The action of the Holy Spirit in the hierarchical and charismatic gifts*

12. Pointing out the Trinitarian and Christological horizon of the divine gifts also sheds light on the relation between the hierarchical and charismatic gifts. In fact, the relationship to the salvific actions of Christ – for example, the institution of the Eucharist (cf. *Lc* 22:19f; *1 Cor* 11:25), the power to forgive sins (cf. *Jn* 20:22f), the apostolic mandate for the work of evangelization and of baptism (*Mc* 16:15f; *Mt* 28:18-20) – primarily appears in the hierarchical gifts, in as much as they pertain to the sacrament of Orders. It is equally manifest that no sacrament can be conferred without the action of the Holy Spirit.<sup>[40]</sup> On the other hand, the charismatic gifts, bestowed freely by the Spirit, “who blows where He wills” (*Jn* 3:8) and distributes his gifts “as He wishes” (*1 Cor* 12:11), are objectively related to the new life in Christ, in as much as Christians are “individually parts” (*1 Cor* 12:27) of his Body. Therefore, the proper comprehension of the charismatic gifts comes only in reference to the presence of Christ and in his service; as John Paul II affirmed, “the true charisms cannot but tend towards the encounter with Christ in the sacraments”.<sup>[41]</sup> The hierarchical and charismatic gifts, therefore, appear united in reference to the intrinsic relationship between Jesus Christ and the Holy Spirit. The Paraclete is, contemporaneously, the one who distributes efficaciously, through the sacraments, the salvific grace offered by Christ dead and risen again, and He is the one who bestows the charisms. In the liturgies of the Christian East, especially in the Syriac tradition, the role of the Holy Spirit, represented by the image of fire, helps to make this experience plainly manifest. Indeed the great theologian and poet Ephrem the Syrian said “the fire of compassion descends / and takes

the form of bread”,<sup>[42]</sup> indicating not only the Spirit’s action relative to transforming the gifts but also relative to the believers who eat the Eucharistic bread. The Eastern perspective, with the efficacy of its images, helps us to understand how, drawing near to the Eucharist, Christ gives us the Spirit. The same Spirit, then, by way of his actions in believers, feeds the life in Christ, leading them anew to a more profound sacramental life, above all in the Eucharist. In such a manner, the free action of the Holy Spirit in history reaches believers with the gift of salvation and at the same time animates them so they may respond freely and fully with the commitment of their lives.

#### **IV The Relationship between hierarchical and charismatic gifts in the life and mission of the Church.**

##### *In the Church as mystery of communion*

13. The Church presents herself as “a people made one with the unity of the Father, the Son and the Holy Spirit”,<sup>[43]</sup> in which the relationship between hierarchical and charismatic gifts emerges as directed to the full participation of the faithful in her communion and evangelizing mission. We have been gratuitously predestined in Christ to this new life (*Rm* 8:29-31; *Eph* 1:4-5). The Holy Spirit “brings about that wonderful communion of the faithful. He brings them into intimate union with Christ, so that He is the principle of the Church’s unity”.<sup>[44]</sup> Within the Church, men are called together to become members of Christ<sup>[45]</sup> and within the ecclesial communion they are united in Christ, as members of each other. Communion is always “a vital double participation: the incorporation of Christians into the life of Christ, and the diffusion of charity itself amongst the whole faithful in this world and the next. Unity with Christ and in Christ; and unity between Christians in the Church”.<sup>[46]</sup> In this sense, the mystery of the Church shines “in Christ like a sacrament or as a sign and instrument both of a very closely-knit union with God and of the unity of the whole human race”.<sup>[47]</sup> From this, one can see that the Church as a mystery of communion has a sacramental root: “Fundamentally this means communion with God through Jesus Christ, in the Holy Spirit. This communion is effected in the Word of God and in the sacraments. Baptism” –in close union with Confirmation– “is the entrance to and foundation of the communion of the Church. The Eucharist is the source and summit of the whole Christian life”.<sup>[48]</sup> These sacraments of initiation are constitutive of Christian life, and the hierarchical and charismatic gifts rest upon them. The life of ecclesial communion, in this way internally ordered, is lived in a continual religious attentiveness to the Word of God and is nourished by the sacraments. The Word of God presents itself to us as profoundly linked to the sacraments, in particular the Eucharist,<sup>[49]</sup> within the one sacramental horizon of Revelation. The Eastern tradition looks upon the Church, the body of Christ “animated” by the Holy Spirit and sees her as an ordered unity, which expresses itself also at the level of her gifts. The efficacious presence of the Spirit in the hearts of believers (cf. *Rm* 5:5) is the root cause of this unity even in its charismatic manifestations.<sup>[50]</sup> The charismatic gifts given to individuals actually belong to the Church herself and are ordered towards a more intense ecclesial life. This perspective is present also in the writings of Blessed John Henry Newman: “Thus the heart of every Christian ought to represent in miniature the Catholic Church, since one Spirit makes both the whole Church and every member of it to be His Temple”.<sup>[51]</sup> Thus, the falseness of any

contradiction between or mere juxtaposition of the hierarchical and charismatic gifts is rendered more evident.

In short, the relationship between the charismatic gifts and the ecclesial sacramental structure confirms the coessentiality between hierarchical gifts –of their nature stable, permanent, and irrevocable– and the charismatic gifts. Even if the historical forms of the latter are not guaranteed to remain always the same,<sup>[52]</sup> nonetheless the charismatic *dimension* will never be lacking in the life and mission of the Church.

#### *Identity of the hierarchical gifts*

14. In order to sanctify every member of the People of God and for the mission of the Church in the world, amongst the various gifts, “a special place” is held by “the grace of the Apostles to whose authority the Spirit Himself subjected even those who were endowed with charisms”.<sup>[53]</sup> Jesus Christ Himself willed that there be hierarchical gifts in order to ensure the continuing presence of his unique salvific mediation: “the Apostles were enriched by Christ with a special outpouring of the Holy Spirit coming upon them (cf. *Acts* 1:8; 2: 4; *Jn* 20:22-23), and they passed on this spiritual gift to their helpers by the imposition of hands (cf. *1 Tim* 4:14; *2 Tim* 1:6-7)”.<sup>[54]</sup> The conferral of hierarchical gifts, therefore, can be traced back, above all, to the fullness of the sacrament of Orders, given at Episcopal consecration. This “together with the office of sanctifying, also confers the office of teaching and of governing, which, however, of its very nature, can be exercised only in hierarchical communion with the head and the members of the college”.<sup>[55]</sup> For this reason: “In the bishops, therefore, for whom priests are assistants, Our Lord Jesus Christ [...] is present in the midst of those who believe [...] through their excellent service He is preaching the Word of God to all nations, and constantly administering the sacraments of faith to those who believe, by their paternal functioning (cf. *1 Cor* 4:15). He incorporates new members into His Body by a heavenly regeneration, and finally by their wisdom and prudence He directs and guides the People of the New Testament in their pilgrimage toward eternal happiness”.<sup>[56]</sup> The Eastern Christian tradition, with its vital link to the Fathers, reads all this through its characteristic notion of *taxis*. According to Basil the Great, it is evident that the ordering of the Church is the work of the Holy Spirit. This same order (*taxis*), within which St. Paul catalogues the charisms (cf. *1 Cor* 12:28), “is according to the distribution of the Spirit’s gifts”,<sup>[57]</sup> and locates that of the Apostles in first place. Beginning with Episcopal consecration, one can also understand the hierarchical gifts as referred to the other grades of the sacrament of Orders; above all, as referred to priests, who are “consecrated to preach the Gospel and shepherd the faithful and to celebrate divine worship”, and who “sanctify and govern under the bishop’s authority, that part of the Lord’s flock entrusted to them”. In their turn they must become “a pattern to the flock”, so they may “lead and serve their local community”.<sup>[58]</sup> In the sacrament of Orders bishops and priests, by the priestly anointing, “are conformed to Christ the Priest in such a way that they can act in the person of Christ the Head”.<sup>[59]</sup> One must add to these gifts those given to deacons “upon whom hands are imposed ‘not unto the priesthood, but unto a ministry of service’” and who “strengthened by sacramental grace, in communion with the bishop and his group of priests they serve in the diaconate of the liturgy, of the word, and of charity to the People of God”.<sup>[60]</sup> In short, the hierarchical gifts proper to the sacrament of



Orders, in its diverse grades, are given so that the Church as communion may never fail to make to each member of the faithful an objective offer of grace in the sacraments, and so She may offer both a normative proclamation of the Gospel and pastoral care.

*Identity of the charismatic gifts*

15. If, in the exercise of the hierarchical gifts, the offer of Christ's grace, to the whole People of God throughout history, is assured, nonetheless, each individual member of the faithful is called to accept and correspond to this grace personally in the concrete circumstances of their lives. The charismatic gifts, therefore, are freely distributed by the Holy Spirit, so that sacramental grace may be fruitful in Christian life in different ways and at every level. Because these charisms "are perfectly suited to and useful for the needs of the Church",<sup>[61]</sup> through their diverse richness, the People of God are able fully to live their evangelical mission, discerning the signs of the times and interpreting them in the light of the Gospel.<sup>[62]</sup> The charismatic gifts, in fact, enable the faithful to respond to the gift of salvation in complete freedom and in a way suited to the times. In this way, they themselves become a gift of love for others and authentic witnesses to the Gospel before all mankind.

*The charismatic gifts shared*

16. In this context it is important to remember how varied the charismatic gifts may be among themselves, not only because of their specific character, but also on account of their diffusion within the ecclesial communion. The charismatic gifts "are given to individual persons, and can even be shared by others in such ways as to continue in time a precious and effective heritage, serving as a source of a particular spiritual affinity among persons".<sup>[63]</sup> The relationship between the personal character of the charism and the possibility of sharing it expresses a decisive element in its dynamic, insofar as it touches upon the relationship that, in the ecclesial communion, always links person and community.<sup>[64]</sup> The charismatic gifts, when exercised, can generate affinities, closeness, and spiritual relationships. Through these the charismatic patrimony, originating in the person of the founder, is shared in and deepened, thereby giving life to true spiritual families. The new ecclesial groups, in their diverse forms present themselves as shared charismatic gifts. Ecclesial movements and new communities show how a determinate founding charism can gather the faithful together and help them to live fully their Christian vocation and proper state of life in service of the ecclesial mission. The concrete historical forms this sharing takes may vary; for this very reason, as the history of spirituality shows, diverse foundations may arise from a single original founding charism.

*Recognition by ecclesial authorities*

17. Among the charismatic gifts, freely distributed by the Holy Spirit, many are received and lived out by persons within the Christian community who have no need of particular regulations. When, however, a gift presents itself as a "founding" or "originating charism", this requires a specific recognition so that the richness it contains may be adequately articulated within the ecclesial communion and faithfully transmitted over time. Here emerges the decisive task of

discernment that appertains to the ecclesial authorities.[65] Recognizing the authenticity of a charism is not always an easy task, it is, nonetheless, a dutiful service that pastors are required to fulfill. The faithful have “the right to be informed by their pastors about the authenticity of charisms and the trustworthiness of those who present themselves as recipients thereof”.[66] These authorities should, to this end, bear in mind the unforeseeable nature of the charisms inspired by the Holy Spirit and evaluate them according to the rule of faith with the intention of building up the Church.[67] This process is time-consuming. It requires an adequate period to pass in order to authenticate the charisms, which must be submitted to serious discernment until they are recognized as genuine. The reality of the group that arises from the charism must have the proper time to grow and mature. This would extend beyond the period of initial enthusiasm until a stable configuration arises. In this whole itinerary of verification, the authority of the Church must benevolently accompany the new group. The pastor’s accompaniment will never diminish, because, just as the solicitous love of the Good Shepherd always accompanies the flock, so too the paternity of those in the Church called to be vicars of the Good Shepherd never wanes.

#### *Criteria for discerning the charismatic gifts*

18. In this context, it is useful to remember certain criteria, as set out by the Church’s Magisterium in recent years, for the discernment of the charismatic gifts with reference to ecclesial groups. These criteria are intended to help the recognition of the authentically ecclesial nature of the charisms.

a) *The Primacy of the vocation of every Christian to holiness.* Every entity that is born from sharing in an authentic charism must always be at the service of holiness in the Church and, therefore, of the increase of charity and an authentic movement towards the perfection of love.

[68]

b) *Commitment to spreading the Gospel.* Authentic charisms “are gifts of the Spirit integrated into the body of the Church, drawn to the center which is Christ and then channeled into an evangelizing impulse”.[69] In this way they must be marked by “conformity to and participation in the Church’s apostolic goals” and show “a missionary zeal which will increase their effectiveness as participants in a re-evangelization”.[70]

c) *Profession of the Catholic Faith.* Every charismatic entity must be a place of education in the faith in its fullness “embracing and proclaiming the truth about Christ, the Church and humanity, in obedience to the Church’s Magisterium, as the Church interprets it”.[71] for this reason they must avoid venturing “beyond (*proagon*) the doctrine and the ecclesial community”. Indeed if “one does not remain within these, one is not united to God and Jesus Christ (cf. 2 Jn 9)”.[72]

d) *Witness to a real communion with the whole Church.* This requires a “filial relationship to the Pope, in total adherence to the belief that he is the perpetual and visible center of unity of the universal Church, and with the local bishop, ‘the visible principle and foundation of unity’ in the particular Church”.[73] This implies a “loyal readiness to embrace the[ir] doctrinal teachings and pastoral initiatives”.[74] as well as “a readiness to participate in programs and Church activities at the local, national and international levels; a commitment to catechesis and a capacity for teaching and forming Christians”.[75]



e) *Recognition of and esteem for the reciprocal complementarity of other charismatic elements in the Church.* From this arises a readiness for reciprocal cooperation.[76] Truly: “A sure sign of the authenticity of a charism is its ecclesial character, its ability to be integrated harmoniously into the life of God’s holy and faithful people for the good of all. Something truly new brought about by the Spirit need not overshadow other gifts and spiritualities in making itself felt”.[77]

f) *Acceptance of moments of trial in the discernment of charisms.* Because a charismatic gift may imply “a certain element of genuine originality and of special initiative for the spiritual life of the Church” and in its surrounding “may appear troublesome”, it follows that one criteria of authenticity manifests itself as “humility in bearing with adversities”, such that: “The true relation between genuine charism, with its perspectives of newness, and interior suffering, carries with it an unvarying history of the connection between charism and cross”.[78] Any tensions that may arise are a call to the practice of greater charity in view of the more profound ecclesial communion and unity that exists.

g) *Presence of spiritual fruits* such as charity, joy, peace and a certain human maturity (cf. *Gal* 5:22); the desire “to live the Church’s life more intensely”,[79] a more intense desire of “listening to and meditating on the Word”;<sup>[80]</sup> “the renewed appreciation for prayer, contemplation, liturgical and sacramental life, the reawakening of vocations to Christian marriage, the ministerial priesthood and the consecrated life”.[81]

h) *The social dimension of evangelization.* It is also necessary to recognize that, as a result of the impulse of charity, “the *kerygma* has a clear social content: at the very heart of the Gospel is life in community and engagement with others”.[82] This criteria of discernment, which refers not exclusively to lay entities in the Church, underlines the necessity of being “fruitful outlets for participation and solidarity in bringing about conditions that are more just and loving within society”.[83] In this regard the “desire to be present as Christians in various settings of social life and the creation and awakening of charitable, cultural and spiritual works; the spirit of detachment and evangelical poverty leading to a greater generosity in charity towards all” are significant.[84] Reference to the Social Doctrine of the Church is also a decisive factor.[85] In particular, “Our faith in Christ, who became poor, and was always close to the poor and the outcast, is the basis of our concern for the integral development of society’s most neglected members”.[86] This cannot be lacking in authentic ecclesial entity.

## **V. The ecclesial practice of the relationship between hierarchical and charismatic gifts**

19. Finally, it is necessary to address certain elements in the concrete ecclesial practice regarding the relationship between hierarchical and those charismatic gifts that are configured as charismatic groups within the ecclesial communion.

### *Reciprocity*

20. Above all, the establishment of good relations between the diverse gifts in the Church requires the real integration of the charismatic entity within the pastoral life of the particular Church. This requires that the diverse groups recognize the authority of the pastors in the Church as a reality within Christian life itself, and that sincerely desiring to be recognized, received and eventually purified, they place themselves at the service of the ecclesial mission.

On the other hand, those who have been entrusted with hierarchical gifts, carrying out the discernment and accompaniment of the charisms, must cordially receive that which the Spirit inspires within the ecclesial communion, being mindful thereof in pastoral activities and esteeming their contribution as an authentic resource for the good of all.

*The charismatic gifts in the universal and particular Church*

21. Related to the diffusion and the particularity of charismatic entities one must also consider the constitutive and essential relation between the universal Church and the particular Churches. It is necessary for this reason to clarify that the Church of Christ, as we profess in the Apostolic creed, “is the universal Church, that is, the worldwide community of the disciples of the Lord, which is present and active amid the particular characteristics and the diversity of persons, groups, times and places”.<sup>[87]</sup> The particular dimension is, therefore, intrinsic to the universal and vice-versa; there exists a “mutual interiority”<sup>[88]</sup> between the particular Churches and the Universal Church. The hierarchical gifts proper to the Successor of Peter are exercised, in this context, to guarantee, and for the benefit of, the universal Church’s immanent presence within local Churches; similarly the Apostolic Office of the individual bishops does not remain confined within their own diocese but is called to flow out to the whole Church, both through the affection proper to collegiality and to its effects, and above all through communion with that *centrum unitatis Ecclesiae* that is the Roman Pontiff. He “as the successor of Peter, is the perpetual and visible principle and foundation of unity of both the bishops and of the faithful. The individual bishops, however, are the visible principle and foundation of unity in their particular Churches, fashioned after the model of the universal Church, in and from which Churches, comes into being the one and only Catholic Church”.<sup>[89]</sup> This implies that in every particular Church “the one, holy, catholic, and apostolic Church of Christ is truly present and operative”.<sup>[90]</sup> Reference to the authority of the Successor of Peter –communion *cum Petro et sub Petro*– is, therefore, constitutive of every local Church.<sup>[91]</sup>

In this way, the foundation is laid for the relationship between hierarchical and charismatic gifts within the relationship between the universal Church and the particular Churches. On the one hand, the charismatic gifts are given to the whole Church; on the other hand, the dynamism of these gifts must actualize itself in the service of a concrete diocese, which is “is a portion of the People of God which is entrusted to a bishop to be shepherded by him with the cooperation of the presbytery”.<sup>[92]</sup> To this end, it may be useful to remember the case of Consecrated Life; this is not a reality external to or independent of the life of the local Church; rather it constitutes a particular way of being in the midst of the local Church, which is marked by the radicalness of the Gospel and which possesses its own specific gifts. The traditional privilege of “exemption” granted to many Institutes of Consecrated Life,<sup>[93]</sup> does not imply a kind of disincarnated dislocation nor a badly understood autonomy; rather it denotes a more profound interaction between the universal and particular dimension of the Church.<sup>[94]</sup> Analogously, the new charismatic entities, when they possess a supra-diocesan character, must not consider themselves as completely autonomous from the particular Church; rather, they should enrich and serve her precisely through that particularity which is shared beyond the confines of a single diocese.



*The charismatic gifts and the states of life of the Christian*

22. The charismatic gifts bestowed by the Spirit can be related to the entire order of the ecclesial communion both with reference to the sacraments and to the Word of God. These gifts, depending on their different traits, can bear great fruit in the fulfilment of those duties that arise from Baptism, Confirmation, Matrimony, and Holy Orders. They also make possible a greater spiritual understanding of the Apostolic Tradition, which besides theological study and the preaching of those entrusted with the *charisma veritatis certum*,<sup>[95]</sup> may be deepened by those possessing “a penetrating understanding of the spiritual realities which they experience”.<sup>[96]</sup> In this context, it is useful to list the fundamental questions related to the relationship between the charismatic gifts and the different states of life, paying particular attention to the common priesthood of the People of God and the ministerial and hierarchical priesthood which, “though they differ from one another in essence and not only in degree [...], are nonetheless interrelated: each of them in its own special way is a participation in the one priesthood of Christ”.<sup>[97]</sup> In point of fact they constitute “two modes of participation in the one priesthood of Christ, which involves two dimensions which unite in the supreme act of the sacrifice of the Cross”.<sup>[98]</sup>

a) First, it is necessary to recognize the goodness of the different charisms that give rise to the ecclesial groups between all the faithful, called to make fruitful sacramental grace, under the leadership of their legitimate pastors. They represent an authentic opportunity to live and develop one's proper Christian vocation.<sup>[99]</sup> These charismatic gifts enable the faithful to live the common priesthood of the People of God as part of their day to day existence: as “disciples of Christ, persevering in prayer and praising God, (cf. *Acts* 2:42-47) [they] should present themselves as a living sacrifice, holy and pleasing to God (cf. *Rm* 12:1). Everywhere on earth they must bear witness to Christ and give an answer to those who seek an account of that hope of eternal life which is in them (cf. *1 Pt* 3:15)”.<sup>[100]</sup> In this category are also found those groups which are particularly significant for Christian married life, and which “should try by their programs of instruction and action to strengthen young people and spouses themselves, particularly those recently wed, and to train them for family, social and apostolic life”.<sup>[101]</sup>

b) Ordained ministers also may find through their participation in a charismatic entity both a reminder of the meaning of their own baptism by which they became sons of God and their own specific mission and vocation. An ordained member of the faithful will be able to find in a determined ecclesial group help to live, at a deep level, the challenges of his own specific ministry both in relation to the whole People of God, particularly to that portion that has been entrusted to him, and in relation to the sincere obedience owed to his Ordinary.<sup>[102]</sup>

Analogously, the same thing may be said in the case of candidates for the priesthood belonging to a particular ecclesial group, as affirmed in the post-synodal Apostolic Exhortation *Pastores Dabo Vobis*;<sup>[103]</sup> such a relation should express itself in an active docility to one's own specific formation, enriching this with the charism in question. Finally, the pastoral help that a priest will be able to offer to an ecclesial group, depending on the group's own proper characteristics, must always be in conformity with the *regimen* foreseen in the ecclesial communion for Holy Orders as related to incardination<sup>[104]</sup> and the obedience owed to his own Ordinary.<sup>[105]</sup>

c) The contribution of a charismatic gift to the baptismal priesthood and to the ministerial priesthood is illustrated by the Consecrated Life; this, as such, is located within the charismatic dimension of the Church.<sup>[106]</sup> Such a charism, which manifests a “special conformity to Christ, chaste, poor and obedient”<sup>[107]</sup> as a stable form of life<sup>[108]</sup> through the profession of the evangelical counsels, is bestowed in order to render someone “capable of deriving more abundant fruit from [...] baptismal grace”.<sup>[109]</sup> The spirituality of the Institutes of Consecrated Life can become for both the lay faithful and the priest a significant resource enabling them to live their own proper vocation. Furthermore, not infrequently, members of an Institute of Consecrated Life, with the necessary consent of their proper superiors,<sup>[110]</sup> can find in relation to the new groups an important aid in living their own vocations, and in turn offer “the faithful, joyful and charismatic witness of consecrated life”,<sup>[111]</sup> thus bringing about a reciprocal enrichment.

d) Finally, it is significant that the spirit of the evangelical counsels is also commended by the Magisterium to every ordained minister.<sup>[112]</sup> Even celibacy, required of priests in the venerable Latin tradition,<sup>[113]</sup> is clearly aligned with the charismatic gifts; it is not primarily functional; rather it “is really a special way of conforming oneself to Christ’s own way of life”,<sup>[114]</sup> in which the full offering of oneself in relation to the mission conferred by the sacrament of Holy Orders is realized.<sup>[115]</sup>

#### *Forms of ecclesial recognition*

23. The present document is intended to clarify the theological and ecclesiological place of the new ecclesial groups in the light of the relationship between the hierarchical and charismatic gifts. It is hoped this will contribute to the concrete identification of the most adequate means of their ecclesial recognition. The present *Code of Canon Law* provides different juridical means of recognition for the new ecclesial entities that pertain to the charismatic gifts. These means should be attentively considered,<sup>[116]</sup> avoiding precedents that do not give adequate consideration to both fundamental principles of law and the nature and particularity of the diverse charismatic entities.

From the point of view of the relationship between hierarchical and charismatic gifts, it is necessary to observe two fundamental criteria that must be seen as inseparable: a) respect for the particularity of individual charismatic groups, avoiding juridical straitjackets that deaden the novelty which is born from the specific experience. In such a way, one avoids the danger that the various charisms might be considered as undistinguished resources within the Church; b) respect for the fundamental ecclesial *regimen*, this way favoring the effective insertion of the charismatic gifts into the life of both the particular and universal Church. Thus, any danger that the charismatic entities might be considered in some way as running parallel to the ecclesial life or not ordered in relation to the hierarchical gifts is avoided.

#### **Conclusion**

24. Awaiting the outpouring of the Holy Spirit, the first disciples were assiduous and united in prayer with Mary, the mother of Jesus (cf. Acts 1:14). She had perfectly accepted and made



fruitful the singular grace with which she had been superabundantly enriched by the most Holy Trinity: most importantly, the grace of being the Mother of God. All of the Church's children can admire her complete docility to the action of the Holy Spirit: faultless docility in faith and transparent humility. Mary, therefore, testifies fully to the obedient and faithful reception of every gift of the Holy Spirit. Moreover, as the Second Vatican Council teaches, the Virgin Mary, by her maternal charity, "cares for the brethren of her Son, who still journey on earth surrounded by dangers and cares, until they are led into the happiness of their true home".<sup>[117]</sup> Since she "let herself be guided by the Holy Spirit on a journey of faith towards a destiny of service and fruitfulness, today we look to her and ask her to help us proclaim the message of salvation to all and to enable new disciples to become evangelizers in turn".<sup>[118]</sup> For this reason, Mary is recognized as the Mother of the Church and we, full of confidence, have recourse to her so that, through her efficacious help and powerful intercession, the charisms, abundantly bestowed by the Holy Spirit among the faithful, may be received with docility and bear fruit for the life and mission of the Church and for the good of the world.

*The Sovereign Pontiff Francis, in the Audience granted to the undersigned Cardinal Prefect on 14 March 2016, approved the present Letter, adopted in the Plenary Session of this Congregation, and ordered its publication.*

Rome, from the Offices of the Congregation for the Doctrine of the Faith, May 15, 2016, the Solemnity of Pentecost.

**Gerhard Card. Müller**

*Prefect*

**+ Luis F. Ladaria, S.I.**

Titular Archbishop of Thibica

*Secretary*

Attachment II

## Antinomy Brief

A Church is not much different in Nature from a State, see *Texas v. White* 74 U.S. 700 (1868). Religion is a form of **COMITY INTER GENTES** from **AFFLATUS**. The Separation of Church and State in the **ESTABLISHMENT CLAUSE** exists because of the fact that Religion used to be the State, as it is now in Vatican City and the Holy See, Churches may even be a party to **CONCORDAT** see *Ponce v. Roman Catholic Church* 210 U.S. 296 (1908); *Respublica v. De Longchamps*, 1 U.S. 111 (1784); *Serbian Orthodox Diocese v. Milivojevic*, 426 U.S. 696 (1976); *Presbyterian Church v. Hull Church*, 393 U.S. 440 (1969), and allows American's to practice not only one Religion, but any Religion, free from persecution. Not only is there an **ANTINOMY** between the **RELIGIOUS FREEDOM RESTORATION ACT / RELIGIOUS LAND USE AND INSTITUTIONALIZED PERSONS ACT** and the **CONTROLLED SUBSTANCES ACT**, there is a **CONFLICTUS LEGEM** between the Plaintiff's Church and the Federal State arising from the **ANTINOMY**, which can be resolved by the **FREE EXERCISE CLAUSE**. **RELIGIOUS ACCESSION** also needs to be considered in the progress of History, Technology and Knowledge. "The term "religious exercise" includes any exercise of religion, whether or not compelled by, or central to, a system of religious belief", see 42 U.S. Code § 2000cc-5 (7) (a). "the general characteristics of Schedule I substances cannot carry the day", see *Gonzales v. O Centro Espirita Beneficente União do Vegetal* 546 U.S. 418 (2006); *Church of Holy Light of the Queen V. Eric Holder, Jr.*, No. 13-35058 (9th Cir. 2014). "Congress must first enact a law criminalizing an activity, attach a penalty, and give the Federal courts Jurisdiction", see *Hudson v. United States* 522 U.S. 93 (1997). "Congress shall make no laws prohibiting the Free Exercise of Religion", see **FREE EXERCISE CLAUSE, I AMENDMENT**. "If a Government confronts an individual with a choice that pressures the individual to forgo a Religious practice, whether by imposing a penalty or withholding a benefit, then the Government has burdened the individuals free Religious Exercise.", see *Sherbert v. Verner* 374 U.S. 398 (1963). "Even neutral laws can be used unconstitutionally", see *Yick Wo v. Hopkins* 118 U.S. 356 (1886); 42 U.S. Code § 2000bb (a) (2). "failing to accommodate petitioners' exercise of their "nonmainstream" religions in a variety of ways", see *Cutter v. Wilkinson*, 544 U.S. 709 (2005). "conduct business in accordance with their religious beliefs", see *Burwell v. Hobby Lobby Stores, Inc.* 573 U.S. \_\_\_\_ (2014).

The Defendants would likely use *Reynolds v. United States* 98 U.S. 145 (1878) in their Defense, but if we are going to go that route, *Reynolds* would be overturned if it were brought to the court today. *Reynolds* was decided based on USC Ch126, 12 S 501, **Morrill Anti-Bigamy Act** which was, and is well understood to have been, targeting Mormons, and was **A POSTERIORI** an illegal Act of Congress and is **VOID AB INITIO**, see *Church of the Lukumi Babalu Aye, Inc. v. Hialeah*, 508 U.S. 520 (1993). **A FORTIORI** Using *Reynolds* as precedent to allow Congress to prohibit Free Exercise is **ULTRA VIRES**; *Hilton v. Guyot*, 159 U.S. 113 (1895); *Leary v. United States*, 395 U.S. 6 (1969); *United States v. Alfonso D. Lopez, Jr.*, 514 U.S. 549 (1995); *United States v. Alvarez*, 567 U.S. \_\_\_\_ (2012). This case is not an argument that the US Government does not have jurisdiction of the Church or its members and is not a statement of **ABJURE**, it is an argument that Congress has overstepped its role in the Constitution, that Church law is to be considered in these courts, and that arguments from *Reynolds* should no longer be considered persuasive to US Courts, see *Gonzalez v. Roman Catholic Archbishop of Manila* 280 U.S. 1 (1929).

Due to the **ANTINOMY** of the **CONTROLLED SUBSTANCES ACT** and The **FREE EXERCISE CLAUSE**, the **RELIGIOUS FREEDOM RESTORATION ACT** and the **RELIGIOUS LAND USE AND INSTITUTIONALIZED PERSONS ACT**, the **ABOLITIO LEGIS** of the **CONTROLLED SUBSTANCES ACT** is necessary, it must be **ABROGATED** as a matter of **DE FACTO** Right and **PENUMBRA**.

The Latin phrase **SUB ROSA** means "under the rose", and is used in English to denote secrecy or confidentiality, similar to the Chatham House Rule. The literal rose and its essence or attar has also played a role in religious and spiritual rites which often would have been held in secret.

Persecution under the modern **ULTRA VIRES** actions of the US Congress has forced many religions and religious practitioners to operate **SUB ROSA** or in **CLANDESTINE** settings **AB INVITO**, in violation of the **FREE EXERCISE CLAUSE** which is **AD GRAVE DAMNUM** to these Religions, see **Church of the Lukumi Babalu Aye, Inc. v. Hialeah** 508 U.S. 520 (1993). During this time of **ULTRA VIRES**, **CAUSA SINE QUA NON** religious practitioners have been **CASTIGATED**, **COERCED** and brought to **CARCER** with no method of **ASYLUM** established. **CESSANTE CAUSA**.

During the initial development of the Christian Church under the Roman Empire followers often had to practice in secret. Official policy under Trajan was to provide Christians with the choice between recanting and execution. In 1636, expelled from Massachusetts in the winter, former Puritan leader Roger Williams issued an impassioned plea for freedom of conscience. He wrote, "God requireth not an uniformity of Religion to be inacted and enforced in any civill state; which inforced uniformity (sooner or later) is the greatest occasion of civill Warre, ravishing of conscience, persecution of Christ Jesus in his servants, and of the hypocrisie and destruction of millions of souls." Williams later founded Rhode Island on the principle of religious freedom. He welcomed people of religious belief, even some regarded as dangerously misguided, for nothing could change his view that "forced worship stinks in God's nostrils." A clandestine church (Dutch: *schuilkerk*), defined by historian Benjamin J. Kaplan as a "semi-clandestine church", is a house of worship used by religious minorities whose communal worship is tolerated by those of the majority faith on condition that it is discreet and not conducted in public spaces. *Schuilkerken* are commonly built inside houses or other buildings, and do not show a public façade to the street. "Here, however, defendants challenge plaintiffs' sincerity, citing plaintiffs' decision to conduct ceremonies in secret until the Supreme Court ruling in favor of the UDV plaintiffs. Plaintiffs' secrecy does not show a lack of sincerity. Instead, it shows that plaintiffs remained committed to practicing their religion despite the threat of criminal prosecution and loss of professional status.", see **Church of Holy Light of the Queen V. Eric Holder, Jr., No. 13-35058 (9th Cir. 2014)** "Moreover, the latter ordinances' various prohibitions, definitions, and exemptions demonstrate that they were "gerrymandered" with care to proscribe religious killings of animals by Santeria church members but to exclude almost all other animal killings. They also suppress much more religious conduct than is necessary to achieve their stated ends. The legitimate governmental interests in protecting the public health and preventing cruelty to animals could be addressed by restrictions stopping far short of a flat prohibition of all Santeria sacrificial practice...The resulting syncretion, or fusion, is Santeria, "the way of



the saints." The Cuban Yoruba express their devotion to spirits, called oris has, through the iconography of Catholic saints, Catholic symbols are often present at Santeria rites, and Santeria devotees attend the Catholic sacraments. 723 F. Supp. 1467, 1469-1470 (SD Fla. 1989); 13 Encyclopedia of Religion 66 (M. Eliade ed. 1987); 1 Encyclopedia of the American Religious Experience 183 (C. Lippy & P. Williams eds. 1988)...The sacrifice of animals as part of religious rituals has ancient roots. See generally 12 id., at 554-556. Animal sacrifice is mentioned throughout the Old Testament, see 14 Encyclopaedia Judaica 600, 600-605 (1971), and it played an important role in the practice of Judaism before destruction of the second Temple in Jerusalem, see id., at 605-612. In modern Islam, there is an annual sacrifice commemorating Abraham's sacrifice of a ram in the stead of his son. See C. Glasse, Concise Encyclopedia of Islam 178 (1989); 7 Encyclopedia of Religion, supra, at 456...Santeria adherents faced widespread persecution in Cuba, so the religion and its rituals were practiced in secret. The open practice of Santeria and its rites remains infrequent. See 723 F. SUPP., at 1470; 13 Encyclopedia of Religion, supra, at 67; M. Gonzalez-Wippler, Santeria: The Religion 3-4 (1989)...Pichardo indicated that the Church's goal was to bring the practice of the Santeria faith, including its ritual of animal sacrifice, into the open...The court also concluded that an exception to the sacrifice prohibition for religious conduct would "'unduly interfere with fulfillment of the governmental interest'" because any more narrow restrictions-e. g., regulation of disposal of animal carcasses-would be unenforceable as a result of the secret nature of the Santeria religion. Id., at 1486-1487, and nn. 57-59...Although the practice of animal sacrifice may seem abhorrent to some, "religious beliefs need not be acceptable, logical, consistent, or comprehensible to others in order to merit First Amendment protection." Thomas v. Review Bd. of Indiana Employment Security Div., 450 U. S. 707, 714 (1981). Given the historical association between animal sacrifice and religious worship, see supra, at 524-525, petitioners' assertion that animal sacrifice is an integral part of their religion "cannot be deemed bizarre or incredible." Frazee v. Illinois Dept. of Employment Security, 489 U. S. 829, 834, n. 2 (1989).", see **Church of the Lukumi Babalu Aye, Inc. v. Hialeah** 508 U.S. 520 (1993)

"The purpose of separation of church and state is to keep forever from these shores the ceaseless strife that has soaked the soil of Europe in blood for centuries."

- James Madison, 4th president of the United States



Attachment III

### Principles of Construction and Chevron Deference

"[A]s a general matter, courts should be loath to announce equitable exceptions to legislative requirements or prohibitions that are unqualified by the statutory text[.] Although trust law may offer a 'starting point' for analysis in some situations, it must give way if it is inconsistent with 'the language of the statute, its structure, or its purposes.'" Hughes Aircraft Co. v. Jacobson, 525 U.S. 432, 447 (1999) (quoting Guidry v. Sheet Metal Workers Nat. Pension Fund, 493 U.S. 365, 376 (1990), and Varsity Corp. v. Howe, 516 U.S. 489, 497 (1996)).

"[T]he meaning of statutory language, plain or not, depends on context." Holloway v. United States, 526 U.S. 1, 7 (1999) (quoting Brown v. Gardner, 513 U.S. 115, 118 (1994), and King v. St. Vincent's Hospital, 502 U.S. 215, 221 (1991)).

"We look first to evidence of the original understanding of the Constitution." Alden v. Maine, 527 U.S. 706, 741 (1999)

"[E]arly congressional practice \* \* \* provides 'contemporaneous and weighty evidence of the Constitution's meaning.'" Alden v. Maine, 527 U.S. 706, 743-744 (1999) (quoting Printz v. United States, 521 U.S. 898, 905 (1997) (internal quotation marks omitted)).

"When interpreting a statute, we look first to the language." Richardson v. United States, 526 U.S. 813, 818 (1999).

"As in any case of statutory construction, our analysis begins with the language of the statute. \* \* \* And where the statutory language provides a clear answer, it ends there as well." Hughes Aircraft Co. v. Jacobson, 525 U.S. 432, 438 (1999) (citation and internal quotation marks omitted).

"The Secretary's reading of [the statute] frankly seems to us the more natural - but it is in any event well within the bounds of reasonable interpretation, and hence entitled to deference under Chevron U.S.A. Inc. v. Natural Resources Defense Council, Inc., 467 U.S. 837, 842 (1984)." Your Home Visiting Nurse Services, Inc. v. Shalala, 525 U.S. 449, 453 (1999).

"But Congress is well aware that the ambiguities it chooses to produce in a statute will be resolved by the implementing agency, see Chevron [U.S.A. Inc. v. Natural Resources Defense Council, Inc., 467 U.S.

837,] 842-843 [1984]. We can only enforce the clear limits that the 1996 Act contains \* \* \*." *AT&T Corp. v. Iowa Utilities Bd.*, 525 U.S. 366, 397 (1999).

"Under Chevron, if a court determines that 'Congress has directly spoken to the precise question at issue,' then 'that is the end of the matter; for the court, as well as the agency, must give effect to the unambiguously expressed intent of Congress.'" *United States v. Haggar Apparel Co.*, 526 U.S. 380, 392 (1999) (quoting *Chevron U.S.A. Inc. v. Natural Resources Defense Council, Inc.*, 467 U.S. 837, 842-843 (1984)).

"If, however, the agency's statutory interpretation 'fills a gap or defines a term in a way that is reasonable in light of the legislature's revealed design, we give [that] judgment "controlling weight."'" *United States v. Haggar Apparel Co.*, 526 U.S. 380, 392 (1999) (quoting *NationsBank of N.C., N.A. v. Variable Annuity Life Ins. Co.*, 513 U.S. 251, 257 (1995)).

"A statute may be ambiguous, for purposes of Chevron analysis, without being inartful or deficient." *United States v. Haggar Apparel Co.*, 526 U.S. 380, 392 (1999).

"For purposes of the Chevron analysis, \* \* \*[a statute is ambiguous if] the agency must use its discretion to determine how best to implement the policy in those cases not covered by the statute's specific terms." *United States v. Haggar Apparel Co.*, 526 U.S. 380, 393 (1999).

"[Chevron] [d]eference can be given to the regulations without impairing the authority of the court to make factual determinations, and to apply those determinations to the law, *de novo*." *United States v. Haggar Apparel Co.*, 526 U.S. 380, 391 (1999).

"Because the Court of Appeals confronted questions implicating 'an agency's construction of the statute which it administers,' the court should have applied the principles of deference described in *Chevron U.S.A. Inc. v. Natural Resources Defense Council, Inc.*, 467 U.S. 837, 842 (1984). Thus, the court should have asked whether 'the statute is silent or ambiguous with respect to the specific issue' before it; if so, 'the question for the court [was] whether the agency's answer is based on a permissible construction of the statute.' *Id.* at 843." *INS v. Aguirre-Aguirre*, 526 U.S. 415, 424 (1999).

"[W]e have recognized that judicial deference to the Executive Branch is especially appropriate in the immigration context where officials 'exercise especially sensitive political functions that implicate questions of foreign relations.' *INS v. Abudu*, 485 U.S. 94, 110 (1998). A decision by the Attorney General to deem certain violent offenses committed in another country as political in nature, and to allow the perpetrators to remain in the United States, may affect our relations with that country or its neighbors.

The judiciary is not well positioned to shoulder primary responsibility for assessing the likelihood and importance of such diplomatic repercussions." *INS v. Aguirre-Aguirre*, 526 U.S. 415, 425 (1999).

The Board of Immigration Appeals "should be accorded Chevron deference as it gives ambiguous statutory terms concrete meaning through a process of case-by-case adjudication \* \* \*." *INS v. Aguirre-Aguirre*, 526 U. S. 415, 425 (1999) (internal quotation marks omitted).

"[W]e have no occasion to review the call for deference here [to a construction of the agency's statutory jurisdiction first advanced in the government's Supreme Court brief], the interpretation urged in [that] brief being clearly the better reading of the statute under ordinary principles of construction." *California Dental Assn. v. FTC*, 526 U.S. 756, 766 (1999).

"In resolving this issue, the [Federal Labor Relations] Authority was interpreting the statute Congress directed it to implement and administer. 5 U.S.C. § 7105. The Authority's conclusion is certainly consistent with the [statute] and, to the extent the statute and congressional intent are unclear, we may rely on the Authority's reasonable judgment." *National Aeronautics and Space Admin. v. Federal Labor Relations Authority*, 527 U.S. 229, 234 (1999).

"In interpreting statutory mineral reservations like the one at issue here, we have emphasized that Congress 'was dealing with a practical subject in a practical way' and that it intended the terms of the reservation to be understood in 'their ordinary and popular sense.'" *Amoco Production Co. v. Southern Ute Tribe*, 526 U.S. 865, 873 (1999) (quoting *Burke v. Southern Pacific R. Co.*, 234 U.S. 669, 679 (1914)).

"It is a well-established rule of construction that "[w]here Congress uses terms that have accumulated settled meaning under . . . the common law, a court must infer, unless the statute otherwise dictates, that Congress means to incorporate the established meaning of these terms.'" *Neder v. United States*, 527 U.S. 1, 21 (1999) (quoting *Nationwide Mut. Ins. Co. v. Darden*, 503 U.S. 318, 322 (1992), and *Community for Creative NonViolence v. Reid*, 490 U.S. 730, 739 (1989)).

"[W]here Congress borrows terms of art in which are accumulated the legal tradition and meaning of centuries of practice, it presumably knows and adopts the cluster of ideas that were attached to each borrowed word in the body of learning from which it was taken and the meaning its use will convey to the judicial mind unless otherwise instructed." *Kolstad v. American Dental Assn.*, 527 U.S. 526, 539 (1999) (quoting *Morrisette v. United States*, 342 U.S. 246, 263 (1952)).



"If a given statute is unclear about treating \* \* \* a fact as [an] element [of the offense] or [a] penalty aggravator [in sentencing], it makes sense to look at what other statutes have done, on the fair assumption that Congress is unlikely to intend any radical departures from past practice without making a point of saying so." *Jones v. United States*, 526 U.S. 227, 234 (1999).

"Statutory language must be read in context and a phrase 'gathers meaning from the words around it.'" *Jones v. United States*, 527 U.S. 373, 389 (1999) (quoting *Jarecki v. G.D. Searle & Co.*, 367 U.S. 303, 307 (1961)).

A statutory phrase "should ordinarily retain the same meaning wherever used in the same statute \* \* \*." *National Aeronautics and Space Admin. v. Federal Labor Relations Authority*, 527 U.S. 229, 235 (1999) (agreeing to principle but rejecting argument based on this maxim).

"Now and then silence is not pregnant." *El Paso Natural Gas Co. v. Neztosie*, 526 U.S. 473, 487 (1999) (explaining that Congress probably failed to provide for tribal-court removal in Price-Anderson Act actions because Congress never expected the situation to arise).

One of the most important indicia of 'a religion' is that the particular collection of ideas and/or practices involves belief in the supernatural, that is to say, belief that reality extends beyond that which is capable of perception by the senses. If that be absent, it is unlikely that one has 'a religion'. The way the DEA put it is

- (1) Ultimate Ideas: Fundamental Questions about life, purpose and death
- (2) Metaphysical Beliefs: Beliefs addressing a reality that transcends the physical and immediate apparent world
- (3) Moral and Ethical System: Proscription of a particular manner of acting or a way of life that is moral or ethical
- (4) Comprehensive Beliefs: An overarching array of beliefs that coalesce to provide the believer with answers to many of the problems and concerns that confront humans
- (5) Accouterments of Religion: The presence of various external signs of Religion

#### Spiritual Beliefs of the Shaivite Temple of Colorado

The Shaivite Temple believes that Shiva is the Supreme Lord of the Universe, and our Primary Holy book is the Rig Veda, written around 2500 BC. In general, Hinduism has 1 primary Creator God, who takes 3 forms: Creation, Destruction and Preservation; which are the 3 forms of Creation, and these 3 Gods take multiple other forms. For example, various forms of Shiva include: Pashupati, Rudra, Indra, Agni, etc. This is general to all Hindus, and 15% of the World's Population considers Lord Shiva to be the Supreme Lord of the Universe.

The word "Ganja" comes from the Ganges River, the most Holy River in Hinduism. The word "Indica" (a species of Marijuana) means "From India". "Kush", a well known breed of Marijuana, comes from the Kush Mountains, which is where it is believed that the first Cannabis seeds were brought down by Humans. Lord Shiva is the Lord of Bhang (Marijuana), the Lord of Dance, and the Lord of the Universe. You may have seen statues of him dancing on the Demon of Ignorance.

Shiva invented Meditation, as well as Yoga; this a general belief among all Hindus. Shiva's 3<sup>rd</sup> eye was opened when his Wife Parvati covered his eyes, and because the Universe will fall into Chaos if not watched by Lord Shiva, a 3<sup>rd</sup> eye opened on his forehead, stopping the Universe from falling into Chaos. Shiva's throat is Blue because he drank poison for us, and his eyes are represented in the Rudraksha beads worn by Shaivite priests. The Shiva Lingam is a Holy symbol of Lord Shiva, and was created by a form of Lord Shiva who came to a village and created it for them. Prayers are said to Shiva in the form of Mantras or Japas, one example is ॐ नमः शिवाय or "Om Nama Shivaya". There is no afterlife, but reincarnation, and we do not bury our dead relatives, but cremate them.

Our priests are required to fast, but may fast at any time. We believe, like most Hindus, that the Holy Soma plant of the Rig Veda is best represented in today's Society by Marijuana; and the Temple consumes it for Holidays, Festivals and Ceremonies. As Shaivites, and Shiva being the Lord of Bhang

Attachment 10

(Marijuana), we also consider the plant to be representative of Shiva's body and mind on Earth, no different than the Christian God being represented by Wine and Bread.

Here is an example of Prepackaged Communion.



And during Prohibition, Alcohol for Sacramental Purposes was not illegal (in the Volstead Act). And Prohibition was enacted by an Amendment, the Controlled Substances Act is only a Law. Religious Rights are a Constitutional Amendment. The DEA simply wants us to follow Labeling Guidelines used in the Pharmaceutical Industry.

The way this works is that Religion is Ancient, while the Controlled Substances Act has existed only since the 70s. You have to prove that your (1) Sincere (2) Religious Exercise (3) is Burdened by the Controlled Substances Act; to do this, usually someone has to go to jail, or you have to at the very least explain the ever looming threat of Police coming after you for your Religious Beliefs and Practices.

An example would be Santa Ria, a Religion invented in Cuba, and which was banned in Cuba; but it was accepted in the American Courts; and they got an Exemption from Biological Garbage Laws (the laws were actually overturned completely because they targeted them); and the Court was helped in their decision by reading about Animal Sacrifice in other Religions throughout History.



## **XVIII Amendment to the United States Constitution**

**Section 1.** After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all the territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

**Section 2.** The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

**Section 3.** This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

## **The Volstead Act (1920)**

**Officially titled the National Prohibition Act**  
**Effective Feb 1, 1920**

### **TITLE II.**

#### **PROHIBITION OF INTOXICATING BEVERAGES.**

##### **SEC. 3.**

No person shall on or after the date when the eighteenth amendment to the Constitution of the United States goes into effect, manufacture, sell, barter, transport, import, export, deliver, furnish or possess any intoxicating liquor except as authorized in this Act, and all the provisions of this shall be liberally construed to the end that---the use of intoxicating liquor as a beverage may be prevented.

Liquor. . . . for nonbeverage purposes and wine for sacramental purposes may be manufactured, purchased, sold, bartered, transported, imported, exported, delivered furnished and possessed, but only as herein provided, and the commissioner may, upon application, issue permits therefor. . . .  
Provided, That nothing in this Act shall prohibit the purchase and sale of warehouse receipts covering distilled spirits on deposit in Government bonded warehouses, and no special tax liability shall attach to the business of purchasing and selling such warehouse receipts. . . .

#### **HINDU FESTIVALS & HOLIDAYS**

January

Saphala Ekadashi

Pongal, Makar Sankranti

Pausha Putrada Ekadashi

Paush Purnima

Sakat Chauth

February

Shatila Ekadashi

Mauni Amavas

Vasant Panchami

Kumbha Sankranti

Ratha Saptami

Bhishma Ashtami

Jaya Ekadashi

Magha Purnima

March

Vijaya Ekadashi

Maha Shivaratri

Surya Grahan

Meena Sankranti

Amalaki Ekadashi

Chhoti Holi, Holika Dahan, Chandra Grahan, Phalguna Purnima

Holi

Basoda, Sheetala Ashtami

April

Papmochani Ekadashi

Chaitra Navratri, Gudi Padwa, Ugadi

Gauri Puja, Gangaur

Yamuna Chhath

Solar New Year, Mesha Sankranti

Rama Navami \*Smarta

Rama Navami \*Vaishnava

Kamada Ekadashi

Hanuman Jayanti

May

Varuthini Ekadashi

Gauna Varuthini Ekadashi

Parashurama Jayanti, Akshaya Tritiya

Ganga Saptami

Sita Navami, Vrishabha Sankranti

Mohini Ekadashi

Narasimha Jayanti

Vaishakha Purnima, Buddha Purnima

Narada Jayanti

June

Apara Ekadashi

Shani Jayanti, Vat Savitri Vrat

Ganga Dussehra, Mithuna Sankranti

Nirjala Ekadashi

Jyeshtha Purnima, Vat Purnima Vrat

Yogini Ekadashi

July

Jagannath Rathayatra

Devshayani Ekadashi, Karka Sankranti

Ashadha Purnima, Guru Purnima

Kamika Ekadashi

August

Hariyali Teej

Nag Panchami

Varalakshmi Vrat



Shravana Putrada Ekadashi

Simha Sankranti

Shravana Purnima, Rakhi, Raksha Bandhan, Gayatri Jayanti

Kajari Teej

Krishna Janmashtami

Aja Ekadashi

Surya Grahan

September

Hartalika Teej, Ganesh Chaturthi

Rishi Panchami

Radha Ashtami

Parsva Ekadashi

Onam

Anant Chaturdashi, Ganesh Visarjan

Bhadrapada Purnima, Chandra Grahan, Pratipada Shraddha, Kanya Sankranti, Vishwakarma Puja

Indira Ekadashi

Sarva Pitru Amavasya

October

Navratri Begins

Saraswati Avahan

Saraswati Puja

Durga Ashtami, Maha Navami

Dussehra, Vijayadashami

Papankusha Ekadashi

Ashwin Purnima, Kojagara Puja, Sharad Purnima

Tula Sankranti

Karwa Chauth

Ahoi Ashtami

Rama Ekadashi

Govatsa Dwadashi

Dhan Teras

Chaudas

Narak Chaturdashi, Diwali, Lakshmi Puja

Gowardhan Puja

November

Bhaiya Dooj

Chhath Puja

Kansa Vadh

Devutthana Ekadashi

Tulasi Vivah

Kartik Purnima

Vrischika Sankranti

Kalabhairav Jayanti

Utpanna Ekadashi

Somvati Amavas

December

Vivah Panchami

Mokshada Ekadashi, Gita Jayanti

Gauna Mokshada Ekadashi

Margashirsha Purnima, Dattatreya Jayanti

Dhanu Sankranti

Saphala Ekadashi

Pradosh Vrat

Pradosh - Krishna Paksha

Pradosh - Shukla Paksha

Shani Pradosh - Krishna Paksha

Shani Pradosh - Shukla Paksha

Pradosh - Krishna Paksha

Pradosh - Shukla Paksha

Bhauma Pradosh - Krishna Paksha

Bhauma Pradosh - Shukla Paksha

Pradosh - Krishna Paksha

Pradosh - Shukla Paksha

Pradosh - Krishna Paksha

Pradosh - Shukla Paksha

Shani Pradosh - Krishna Paksha

Pradosh - Shukla Paksha

Pradosh - Krishna Paksha

Soma Pradosh - Shukla Paksha

Soma Pradosh - Krishna Paksha

Pradosh - Shukla Paksha

Pradosh - Krishna Paksha

Pradosh - Shukla Paksha

Pradosh - Krishna Paksha

Shani Pradosh - Shukla Paksha

Shani Pradosh - Krishna Paksha

Pradosh - Shukla Paksha

Soma Pradosh - Krishna Paksha

Masa Shivaratri

Maha Shivaratri